

LIQUOR COMMISSION
CITY AND COUNTY OF HONOLULU
PACIFIC PARK PLAZA
711 KAPIOLANI BOULEVARD, SUITE 600
HONOLULU, HAWAII 96813

AGENDA – THIRD MEETING

THURSDAY, JULY 15, 2021
4:00 P.M.

PUBLIC PARTICIPATION AND TESTIMONY

Pursuant to the Twenty-First Proclamation issued by Governor David Ige on June 7, 2021, relating to the COVID-19 pandemic (Proclamation), in order to allow public participation in a manner consistent with social distancing practices the following procedures are in effect for the meeting. *The procedures have been modified to comply with Mayor Blangiardi's Emergency Order No. 2021-09, effective July 8, 2021 (Emergency Order). In accordance with concern for public health and safety, in-person testimony in the hearings room has been cancelled until further notice. Please see the instructions below on how to submit oral testimony on any scheduled matter or how to make your appearance on a scheduled matter.*

VIEWING THE MEETING AND RESTRICTIONS ON ENTRY

No members of the public will be allowed into the hearings room, but may listen to the meeting on a live broadcast. The meeting may be heard by internet live streaming through <https://us06web.zoom.us/j/88134674164>; by dialing 1-408-638-0968, entering the meeting ID#: 881 3467 4164#; or, the preferred method, via the Liquor Commission website event calendar at <http://www.honolulu.gov/liq/event-calendar/>. You may pre-register to attend this meeting.

To provide the public with the best opportunity to observe the meeting, it is required to "mute" your device's microphone to prevent technological difficulties.

All persons who are required to appear for the meeting must make your appearance by joining the meeting on the Zoom platform as described above. Please be aware that joining the meeting will involve entering the meeting number and completing a registration process so please allow sufficient time for this task. For testifiers or required attendees who are not able to access the Zoom platform, you may attend in person in Suite 600. While in Suite 600, all Social Distancing Requirements set forth in the Proclamation and the Emergency Order must be strictly observed.

Within forty (40) days after the meeting, the minutes will be posted to the Liquor Commission website at <http://www.honolulu.gov/liq/event-calendar/> for viewing. The minutes of prior meetings may also be viewed at said website.

ORAL TESTIMONY

Oral testimony will be permitted on all matters before the Commission subject to the following restrictions:

1. *All oral testimony must be submitted remotely through the Zoom platform.*
2. Each speaker is limited to a three-minute presentation.

WRITTEN TESTIMONY

Written testimony is strongly encouraged and may be submitted to the Administrator of the Commission three (3) working days prior to the date of the meeting as follows: FAX (808) 768-7311 or E-MAIL liquor@honolulu.gov. Written testimony will not be accepted in person at the meeting.

MATERIALS AVAILABLE FOR INSPECTION

Meeting materials ("board packet") will be available for viewing electronically, as soon as practicable, at the Liquor Commission website (<http://www.honolulu.gov/liq/event-calendar/>).

APPROVAL OF MINUTES:

The regular and executive session minutes of the 41st meeting (4/29/21), as previously circulated, to be approved by the Commission.

PUBLIC HEARINGS:

- | | |
|--|--|
| 1. Trans. Appl. No. 21-22604
from LP Hawaii
Corporation, dba
2012 Sports Bar & Café | For the transfer of the business and
Restaurant General license
(Category No. 2 - Live entertainment
or Recorded Music and Dancing) of
Alian, Inc., dba Pot Pot Shabu
Ramen & BBQ House, 2012-A South
Beretania Street, and for a change of
trade name to 2012 Sports Bar &
Café (R0713) (Prelim. Hrg. 6/24/21) |
| 2. Trans. Appl. No. 21-23098
from Keech Ohana LLC,
dba Brew'd | For the transfer of the business and
Restaurant General license
(Category No. 1 – Standard Bar) of
TahitiChef LLC, dba Brew'd,
3441 Waialae Avenue (R1070)
(Prelim. Hrg. 6/24/21) |
| 3. Appl. No. 19-16461 from
Pesca Waikiki Beach Inc.,
dba Pesca Waikiki Beach
Inc., 1777 Ala Moana
Boulevard, Sky Room
30A/30B | For a Restaurant General license
(Category No. 2 – Live
Entertainment or Recorded Music
and Dancing) (Prelim. Hrg. 3/25/21)

[History: 5/20/21, 5/27/21] |
| 4. Appl. No. 20-21905 from
TBB Holdings, Inc., dba
Teddy's Bigger Burgers,
66-111 Kamehameha
Highway, Haleiwa | For a Restaurant General license
(Category No. 2 – Live
Entertainment or Recorded Music
and Dancing) (Prelim. Hrg. 2/25/21)

(Originally approved on April 22,
2021 as Restaurant General license
(Category No. 1 – Standard Bar);
Rehearing of this application for a
Restaurant General license
(Category No. 2 – Live
Entertainment or Recorded Music
and Dancing) was approved on
May 20, 2021) |

LICENSE APPLICATION:

Special License Application:

5. Appl. No. 21-23321 from Bamboo Catering Inc., dba Bamboo Catering, 94-428 Mokuola Street, Waipahu

For a Special General license from 5:30 p.m. to 10:30 p.m. on Saturday, July 17, 2021

(Family Gathering)

PRELIMINARY HEARING:

6. Appl. No. 21-22937 from Himakana Inc., dba Himakana Inc., 2688 Kilihau Street, #E

For a Wholesale General license

REQUESTS:

7. Request No. 21-22468 from Hotel Kaimana, Inc., dba The New Otani Kaimana Beach Hotel, Hotel General license, 2863 Kalakaua Avenue (L0031)

Requesting approval to permanently increase its licensed premises

8. Request No. 22-23481 from Cheers LLC, dba The Four4, Restaurant General license (Category No. 2 – Live Entertainment or Recorded Music and Dancing), 45-1117 Kamehameha Highway, #203, Kaneohe (R1232)

Requesting approval to file its Liquor License Renewal Application for fiscal year 2021-2022 after the June 30, 2021 deadline, pursuant to Rule 3-82-31.4(b)

9. Request No. 22-23483 from KOLL LLC, dba Four Seasons Resort Oahu at Ko'olina, Hotel General license, 92-1001 Olani Street, Kapolei (L0038)

Requesting approval to file its Liquor License Renewal Application for fiscal year 2021-2022 after the June 30, 2021 deadline, pursuant to Rule 3-82-31.4(b)

REQUESTS: (CONT.)

- | | |
|---|--|
| 10. Request No. 22-23490
from Nezamloo Inc., dba
Bar Koko, Restaurant Beer
& Wine license (Category
No. 1 – Standard Bar),
1102 Piikoi Street (R1256) | Requesting approval to file its Liquor
License Renewal Application for
fiscal year 2021-2022 after the
June 30, 2021 deadline, pursuant to
Rule 3-82-31.4(b) |
| 11. Request No. 22-23493
from Marriott Hotel
Services, Inc., dba Waikiki
Beach Marriott Resort,
Hotel General license,
2552 Kalakaua Avenue
(L0018) | Requesting extension of time from
July 22, 2021, to December 31,
2021, for final inspection of
permanent alterations

(Request No. 20-21565 for
permanent alterations was approved
on January 22, 2021) |
| 12. Request No. 22-23507
from TBB Holdings, Inc.,
dba Teddy's Bigger
Burgers, Restaurant
General license (Category
No. 1 – Standard Bar),
66-111 Kamehameha
Highway, Haleiwa (R1441) | Requesting approval to file its Liquor
License Renewal Application for
fiscal year 2021-2022 after the
June 30, 2021 deadline, pursuant to
Rule 3-82-31.4(b) |

OTHER BUSINESS:

- | | |
|--|--|
| 13. Request No. 22-23480
from Mr. Emmanuel
Zibakalam, on behalf of
Celebrahteas LLC | Requesting waiver of Rule 3-82-
32.1(a) requiring a temporary license
application be filed within five (5)
working days of the cancellation of
the previous license or the closing of
the business

(Premises at 98-751 Kuahao Place,
Pearl City; former site of Buzz's
Original Steak House) |
|--|--|

ADJUDICATION HEARINGS: (CONT.)

- | | | |
|--|-----|--|
| Club Sundance
(LCV 19-0367)
(E0226)
(Cont.) | (2) | Licensee failed to have the interior and/or exterior of the licensed premises well and properly lighted (Violation of Rule 3-84-72.2) (Date of violation: On or about September 26, 2019) |
| 29. Club Sundance
(LCV 19-0431)
(E0226) | (1) | Licensee's employee consumed liquor while on duty on the licensed premises (Violation of Rule 3-84-78.01(b)) (Date of violation: On or about November 24, 2019) |
| | (2) | Licensee failed to have the interior and exterior of the licensed premises well and properly lighted (Violation of Rule 3-84-72.2) (Date of violation: On or about November 24, 2019) |
| 30. Club Sundance
(LCV 20-0131)
(E0226) | | Licensee employed a person in that section of the licensed premises where liquor is sold, served or consumed without said employee being properly registered with the Commission (Violation of Rule 3-82-38.5(a)) (Date of violation: On or about July 4, 2020) |
| 31. Club Sundance
(LCV 21-0167)
(E0226) | | Licensee failed to comply with any other laws applicable to the business of Licensee, whether in existence at the time of issue of such license or enacted or amended from time to time thereafter, to wit, violating the terms of the Office of the Mayor of the City and County of Honolulu Emergency Order No. 2021-04 (COVID-19 [Novel Coronavirus]) (Violation of Section 281-38, HRS) (Date of violation: On or about April 9, 2021) |

ADJUDICATION HEARINGS: (CONT.)

32. Michel's at The Colony Surf
(LCV 19-0447)
(R0357)
- Licensee failed to accurately report its revenues from gross liquor sales or to properly complete the gross liquor sales report (Violation of Rule 3-81-17.56) (Date of violation: On or during the fiscal year ending June 30, 2019)
33. The Modern Honolulu
(LCV 19-0444)
(L0051)
- Licensee failed to accurately report its revenues from gross liquor sales or to properly complete the gross liquor sales report (Violation of Rule 3-81-17.56) (Date of violation: On or during the fiscal year ending June 30, 2019)
34. Salt and Pepper Café
(LCV 20-0004)
(R1301)
- Licensee failed to submit the name of every person then employed on the licensed premises who is registered with the Commission or who is subject to registration, on the date and in such manner as directed by the Commission (Violation of Rule 3-82-38.8) (Date of violation: On or about December 13, 2019, and/or during the period from November 15, 2019 to November 30, 2019)

(Continued from June 24, 2021)

[Rescheduled from June 17, 2021 to June 24, 2021]

ADJUDICATION HEARINGS: (CONT.)

35. Salt and Pepper Café
(LCV 20-0059)
(R1301)

Licensee failed to have a duly registered manager in active charge of the licensed premises during the time the establishment is licensed to sell or serve liquor (Violation of Rule 3-82-38.9(a)) (Date of violation: On or about February 20, 2020)

(Continued from June 24, 2021)

[Rescheduled from June 17, 2021 to June 24, 2021]

36. Salt and Pepper Café
(LCV 20-0105)
(R1301)

Licensee failed to make available, for inspection and/or auditing within the City and County of Honolulu, its books and records for the last four (4) years indicating all income, purchases, expenses and employee time records of Licensee's liquor business (Violation of Rule 3-81-17.54(d)) (Date of violation: On or about June 30, 2019)

(Continued from June 24, 2021)

[Rescheduled from June 17, 2021 to June 24, 2021]

37. Spada Bar & Restaurant
(nka Kalo Hawaiian Food)
(LCV 20-0152)
(L0049)

Licensee failed to maintain complete and accurate records in order to properly complete and submit the gross liquor sales report (Violation of Rule 3-81-17.56) (Date of violation: On or during the fiscal year ending June 30, 2019)

ADJUDICATION HEARINGS: (CONT.)

38. Spada Bar & Restaurant
(nka Kalo Hawaiian Food)
(LCV 21-0067)
(L0049)

Licensee failed to submit the name of every person then employed on the licensed premises who is registered with the Commission or who is subject to registration, on the date and in such manner as directed by the Commission (Violation of Rule 3-82-38.8) (Date of violation: On or about August 31, 2020, and/or during the period from August 31, 2020 to January 29, 2021)

39. Uahi Island Grill
(LCV 19-0436)
(R1214)

Licensee failed to accurately report its revenues from gross liquor sales or to properly complete the gross liquor sales report (Violation of Rule 3-81-17.56) (Date of violation: On or during the fiscal year ending June 30, 2019)

40. Waianae Store
(LCV 19-0432)
(D0476)

Licensee failed to accurately report its revenues from gross liquor sales or to properly complete the gross liquor sales report (Violation of Rule 3-81-17.56) (Date of violation: On or during the fiscal year ending June 30, 2019)

41. Blind Ox
(LCV 21-0096)
(R1401)

Licensee failed to comply with any other laws applicable to the business of Licensee, whether in existence at the time of issue of such license or enacted or amended from time to time thereafter, to wit, violating the terms of the Office of the Mayor of the City and County of Honolulu Emergency Order No. 2020-31 (COVID-19 [Novel Coronavirus]) (Violation of Section 281-38, HRS) (Date of violation: On or about January 29, 2021)

(Continued from May 6, 2021)

OTHER BUSINESS: (CONT.)

42. Liquor Administrator

Administrative matters – Weekly report to the Commission, 90-day event schedule and work plan coordination

If you require special assistance, auxiliary aid and/or service to participate in this meeting (i.e., sign language interpreter; interpreter for language other than English, or wheelchair accessibility), please email your detailed request to liquor@honolulu.gov, at least five (5) business days prior to the meeting.

LICENSING INVESTIGATIVE REPORT

Date: June 16, 2021

Subject: Transfer Application No. 21-22604 from LP Hawaii Corporation dba 2012 Sports Bar & Café for the transfer of Restaurant General Category 2 Dancing License of Alian, Inc. dba Pot Pot Shabu Ramen & BBQ House at 2012-A S. Beretania Street Honolulu, HI 96826 and for the change in trade name to "2012 Sports Bar & Cafe" (R0713)

CORPORATION STRUCTURE:

LP Hawaii Corporation: Was incorporated under the laws of the State of Hawaii on June 9, 2020. The corporation is authorized to issue 100 common shares of which 100 shares are issued. The Officers, Directors, and Shareholders are:

	<u>Title</u>	<u>Shares</u>	<u>Ownership</u>
Alyssa Wailehua	Pres/ SH	80	80%
Julie Nguyen	VP/ SH	20	20%
		100	100%

See **Exhibit A1 – A2** for Personal History Affidavits of the principals.

FINGERPRINTS:

Julie Nguyen was fingerprinted on March 12, 2021, and Alyssa Nguyen was fingerprinted on April 13, 2021, CJIS computer checks and HCJDC/ FBI checks were negative for felony convictions.

FINANCIAL STATEMENT FOR LP HAWAII CORPORATION, AS OF SEPTEMBER 30, 2020:

Applicant submitted a Financial Statement dated November 24, 2020, and received by the Commission November 25, 2020, and was certified by the applicant to be substantially covered.

TEMPORARY APPLICATION FILED:

Applicant filed Temporary License Application 21-22603, dated November 24, 2020, and was approved December 11, 2020.

TRADE NAME:

The applicant has filed with the State of Hawaii Department of Commerce and Consumer Affairs, Form T-1, Application for Registered Trade Name. The Name "2012 Sports Bar & Café" is registered to the applicant from July 29, 2020 till July 28, 2025.

CONSIDERATION:

Alian Inc., "Seller" and LP Hawaii Corporation "Buyer" entered into "Business Asset Purchase and Transfer Agreement" dated November 13, 2020, for the consideration of \$10.00 USD.

Closing date shall be five (5) calendar days after Liquor Commission approves the transfer. There shall be no escrow for this transaction.

LICENSE IN EFFECT FOR MORE THAN ONE YEAR:

Alian, Inc. dba Pot Pot Shabu Ramen & BBQ House (R0713) Restaurant General Category 2 Music/ Dancing, is currently licensed from November 5, 2004 until June 30, 2021.

DESCRIPTION OF THE PREMISES:

Location: The licensed premises is located 2012 S. Beretania St. Honolulu, HI 96826.

Details of Premises: The premises is rectangular in shape, with a total area of approximately 24ft x 58ft.

- Bar area of approximately 37.5ft x 7.5ft.
- Kitchen area 13ft x 15.5ft
- Male and female restrooms located within the licensed premises.

See **Exhibit B**, Floor plan.

PRELIMINARY INSPECTION:

On March 16, 2021, I conducted a preliminary inspection of the premises. The floor plan on file did not match the physical layout of the premises.

Robin Melchor, Authorized Agent for Alian, Inc, submitted alteration request 21-23033, after the fact.

BACKGROUND:

December 19, 2003, Alian, Inc. applied for Restaurant General Category 2 (Music/ Dancing) License.

October 28, 2004, Liquor License R0713, was approved and made effective by the Commission.

REASON FOR TRANSFER:

According to the Neal Gota, Authorized Agent, the prior business at the proposed location closed and the applicant is taking it over.

OTHER RELEVANT MATTERS THAT MAY AFFECT THE ISSUANCE OF THE LICENSE:

Kind of business:

- Asian fusion restaurant and bar
- Hours of operation
 - o Sunday – Thursday; 4:00pm to 12:00 midnight (**Current operating hours**)
 - o Friday and Saturday; 2:00pm to 12:00 midnight (**Current operating hours**)
 - o Daily 2:00pm to 2:00am (**After COVID restrictions are lifted**)
- Applicant will have 5 employees with 2 serving as managers
- Applicant will provide recorded music and no other entertainment and no dancing

Lease: On August 5, 2020, Free World Ventures, Inc. “Landlord” and LP Hawaii Corporation “Tenant” entered into a Lease. The term of this lease shall be for five (5) years commencing on July 1, 2020 and ending June 30, 2025.

OTHER RELEVANT MATTERS THAT MAY AFFECT THE ISSUANCE OF THE LICENSE CONTINUED:

Applicant has submitted Declaration of Gross Liquor Sales from License No. R0713 for FY18 and FY19.

LIQUOR LICENSE INTEREST:

Club Melo (E1546) Status: Safekeeping
From April 6, 2015 till June 30, 2021
1661 Kapiolani Blvd, Bay 4 Honolulu, HI 96814
Dispenser/ General/ Nudity-Hostess
Alyssa Wailehua (100% Member/ Manager)

HISTORY OF VIOLATIONS:

A review of Liquor Commission Information System (LCIS) identified the following:

LCV 2012-0459, Notice of Violation #22600, violation date May 24, 2011, for the violation of HLC Rule 3-81-17.54(d), Failure to maintain/ provide adequate books and records. Has not been adjudicated.

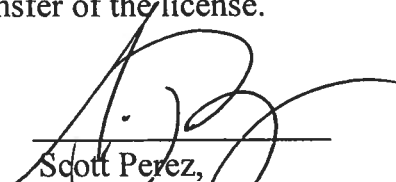
Notice of Violation #29301 for the violation of HLC Rule 38-9(a), violation date May 13, 2008, No manager on duty. No case number assigned and has not been adjudicated.

ZONING CLEARANCE:

A valid Department of Planning and Permitting zoning clearance dated November 24, 2020, has been received.

OPINION:

The applicant has met the minimum requirements relative to making and filing of this application. However, there are pending adjudication matters which may affect the transfer of the license.



Scott Perez,
Licensing Investigator

Reviewed By:


Peter Nakagawa
Chief Liquor Control Investigator



Daniel Sato,
Supervising Investigator ah

RECEIVED
249 QUOR COMMISSION
C&C OF HONOLULU

2020 NOV 25 P 4: 43

(If additional space is needed, please use reverse side)

KN

List your experience in the liquor industry: 3 years owning and operating establishment with a liquor license

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STATE OF HAWAII

Will you devote time to manage the subject business? ☒ Yes ☐ No

If answer is "YES", will it be ☒ Full time, or ☐ Part-time?

I, ALYSSA ANELA WAILEHUA, of _____

(Full Street Address, City, State, Zip)

being first duly sworn, deposes, and says, that the above information is true and correct and that I ☐ have ☒ have not been convicted of any felony charge.

Alyssa Anela Wailehua

Signature



FOR NOTARY USE ONLY

STATE OF HAWAII
City and County of Honolulu

} SS.

On this 28th day of October, in the year of 2020, personally appeared Alyssa Anela Wailehua who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to within the foregoing instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the aforementioned instrument the person, or the entity upon behalf of which the person(s) acted, executed the aforementioned instrument in free act and deed.

Alyssa Anela Wailehua

Signature of applicant(s) before Notary

Subscribed and sworn to before me this:

28th day of October, 2020

Karen Nomura

Signature of Notary

Print Name: Karen Nomura

Notary Public, State of Hawaii

My Commission Expires 5/1/2021

(Place Notary Stamp or Seal here)

N.P. NOTARY CERTIFICATION

Date of Doc: no date

of Pages: 2

Notary Name: Karen Nomura

1st Circuit

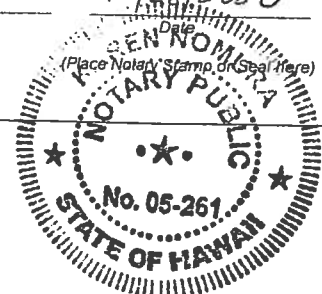
Doc. Description: Personal History and Affidavit

Karen Nomura

Notary Signature

10/28/2020

(Place Notary Stamp or Seal here)



LIQUOR COMMISSION
CITY AND COUNTY OF HONOLULU
711 KAPIOLANI BOULEVARD, SUITE 600, HONOLULU, HAWAII 96813-5249
PHONE (808) 768-7300 • FAX (808) 768-7311
INTERNET ADDRESS: www.honolulu.gov/liq

PERSONAL HISTORY AND AFFIDAVIT

Rule 3-83-53.1

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C.C.O. OF HONOLULU

100 NOV 25 PM 4:43

NAME NGUYEN, JULIE THAONHI SOCIAL SECURITY NO. _____
Last, First Middle Maiden
HOME ADDRESS _____ APT. NO. _____ TELEPHONE NOS.: _____
HOME () _____
CITY _____ STATE _____ ZIP CODE _____ BUS. () _____
PLACE OF BIRTH _____ DATE OF BIRTH _____ AGE _____ MARITAL STATUS MARRIED
(City, State) (MM / DD / YYYY)
NO. OF YEARS COMPLETED IN HIGH SCHOOL 4 YEAR COMPLETED 1992 NAME OF SCHOOL KALANI HIGH SCHOOL, HONOLULU, HAWAII
(include City and State)
NO. OF YEARS COMPLETED IN COLLEGE 4 YEAR COMPLETED N/A NAME OF COLLEGE UNIVERSITY OF HAWAII, HONOLULU, HAWAII
(include City and State)
OTHER EDUCATION N/A

CITIZENSHIP* USA

DATE ARRIVED IN
HAWAII (if applicable) 10/20/1982

*(If not a U.S. citizen, indicate type of Visa, or Resident Alien Card No., or Immigration Department No.)

EMPLOYMENT RECORD (from the time school was completed to present):

FROM MONTH/YEAR	TO MONTH/YEAR	POSITION	EMPLOYER	LOCATION
1992	1996	COLLEGE STUDENT		HONOLULU, HAWAII
08/1996	08/1998	COCKTAIL WAITRESS	OCEAN CLUB	HONOLULU, HAWAII
08/1998	08/2001	HOST/WAITRESS/OFFICE	JOHN DOMINIS RESTAURANT	HONOLULU, HAWAII
08/2001	12/2002	UNEMPLOYED		
12/2002	06/2003	ACCOUNT EXECUTIVE	OCEANIC TIME WARNER	HONOLULU, HAWAII
05/2003	06/2003	ACCOUNT EXECUTIVE	STAR ADVERTISER	HONOLULU, HAWAII
06/2003	08/2005	ACCOUNT MANAGER	GANNET PACIFIC MEDIA	HONOLULU, HAWAII
08/2005	09/2008	ACCOUNT COORDINATOR	TRADE PUBLISHING CO.	HONOLULU, HAWAII
09/2008	05/2018	OWNER	THINGS & BLINGS	HONOLULU, HAWAII
06/2018	PRESENT	SENIOR ACCT. REPRESENTATIVE	VIVIAL MEDIA	HONOLULU, HAWAII

(If additional space is needed, please use reverse side)

NOTARY INITIAL: _____

List your experience in the liquor industry: WORKED AS A COCKTAIL WAITRESS AND WAITRESS FOR OVER 8 YEARS AT ESTABLISHMENTS WITH A LIQUOR LICENSE.

Will you devote time to manage the subject business? ☒ Yes ☐ No

If answer is "YES", will it be ☒ Full time, or ☐ Part-time?

I, JULIE THAONHI NGUYEN

, of _____

(Full Street Address, City, State, Zip)

being first duly sworn, deposes, and says, that the above information is true and correct and that I ☐ have/ ☒ have not been convicted of any felony charge.



Signature


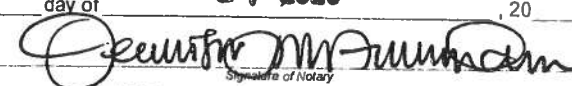
10/27/2020



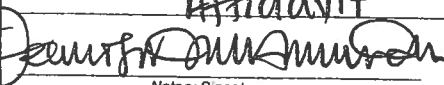
FOR NOTARY USE ONLY

STATE OF HAWAII MAUI
City and County of Honolulu

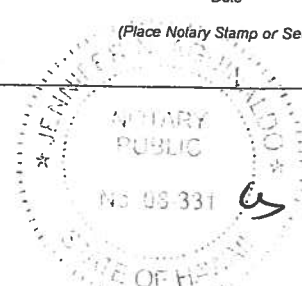
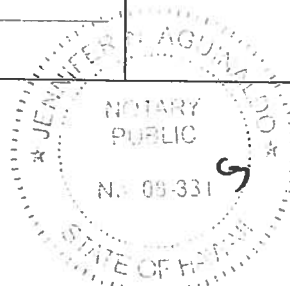
On this 27 day of Oct in the year of 2020 personally appeared JULIE T NGUYEN who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to within the foregoing instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the aforementioned instrument the person, or the entity upon behalf of which the person(s) acted, executed the aforementioned instrument in free act and deed.


Signature of applicant(s) before Notary
Subscribed and sworn to before me this:
OCT 27 2020
day of _____, 20____

Signature of Notary
Print Name: JENNIFER N. AGUINALDO
Notary Public, State of Hawaii

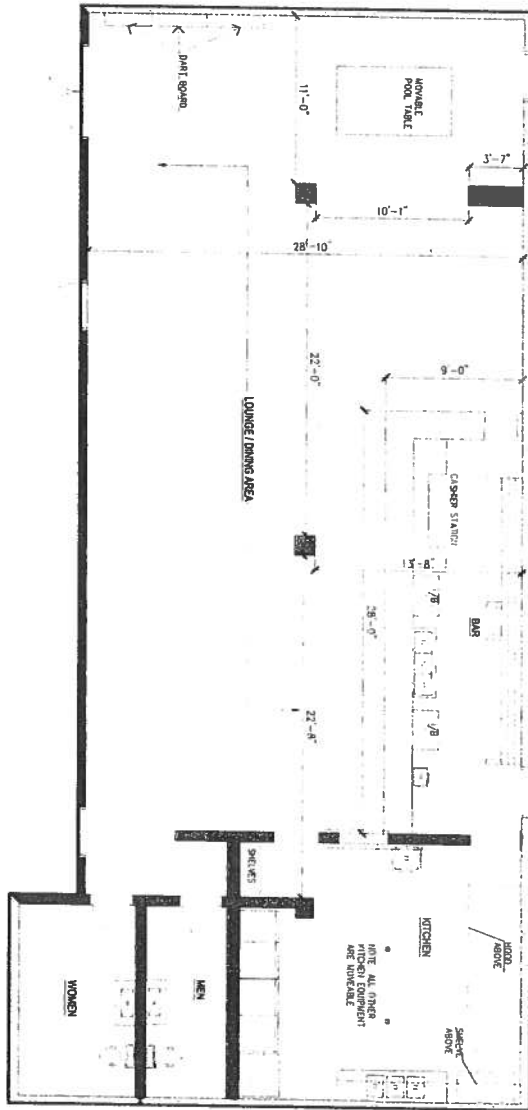
My commission expires _____
My Commission Expires: 08/10/2024
(Place Notary Stamp or Seal here)

NOTARY CERTIFICATION
Date of Doc: OCT 27 2020 # of Pages: 2
Notary Name: JENNIFER N. AGUINALDO 2ND Circuit
Doc. Description: Personal History and Affidavit

Notary Signature Date: OCT 27 2020

(Place Notary Stamp or Seal here)



RECEIVED
LIQUOR COMMISSION
C&C OF HONOLULU
2021 MAY -4 P 5:13



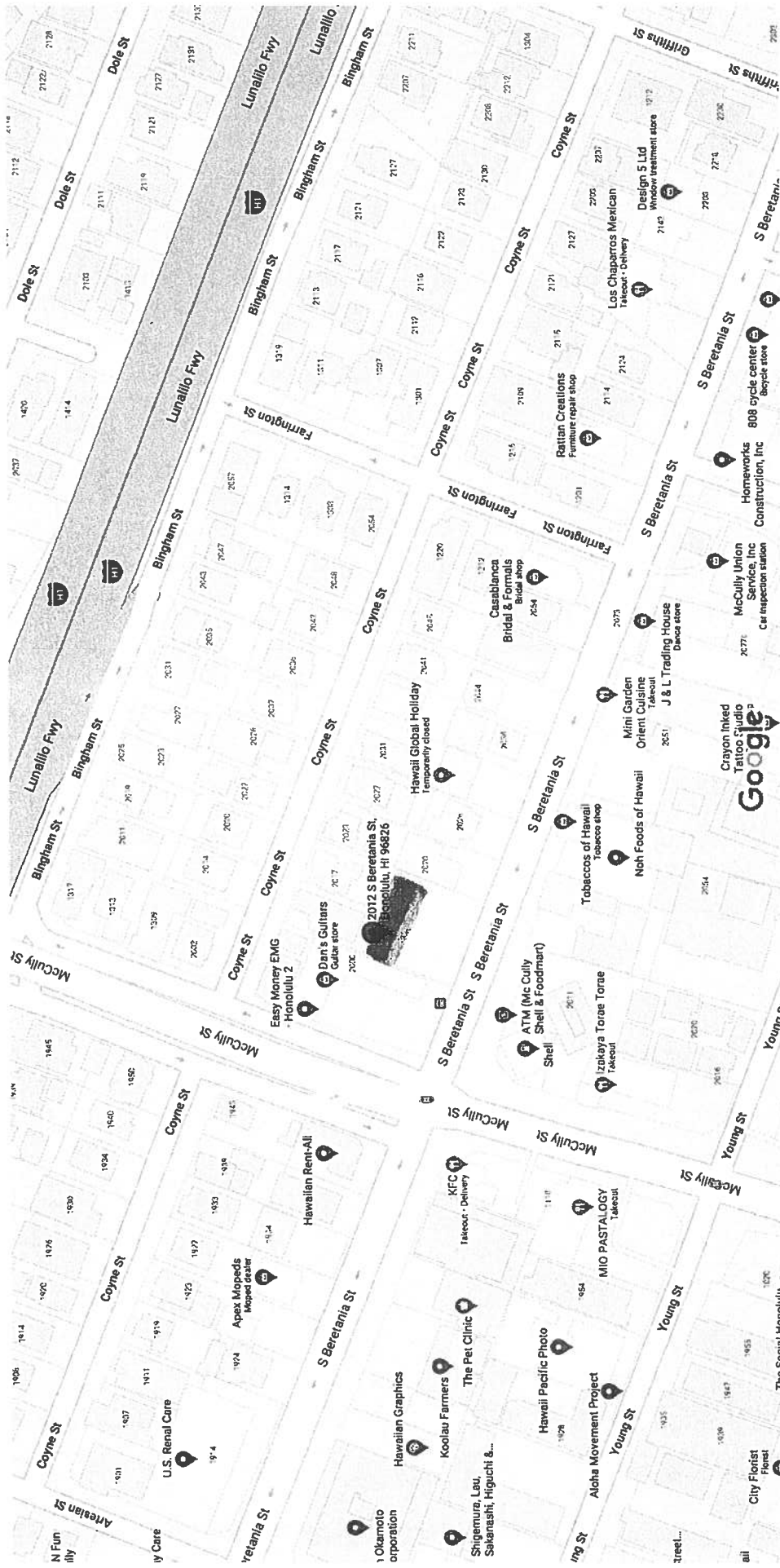
3' 4' 0 8'
SCALE: 1/8"=1'-0"

A
FLOOR PLAN
SCALE 1/4" = 1'-0"

EXHIBIT B

[illegible]

Google Maps 2012 S Beretania St



Map data ©2020 Google

100 ft

LICENSING INVESTIGATIVE REPORT JUN 17 2021 to JUN 24 2021

DATE: June 4, 2021

SUBJECT: Transfer Application No. 21-23098 from Keech Ohana LLC dba
 BREW'D, Restaurant General (Category 1: Standard) license, at the
 current location of TahitiChef LLC dba BREW'D, located at 3441
 Waialae Avenue, Honolulu (R1070)

NOTIFICATION OF AUTHORIZED AGENT:

In form LIQ-LIC-106, Notification of Authorized Agent, dated March 11, 2021 and received by the commission on April 2, 2021, Keech Ohana LLC, authorizes Keith Kiuchi and Sylvia YU to represent them in all liquor related matters.

COMPANY STRUCTURE:

Keech Ohana LLC: was organized under the laws of the State of Hawaii on August 17, 2019, as a manager-managed limited liability company.

The Manager/ Members are:

		<u>Percent</u>
Keech, Kristen	Manager/Member	50%
Keech, Nicholas	Manager/Member	50%
	Total	100%

For further details of the Kristen and Nicholas Keech, see **Exhibits A1-A2** for biographical information. CJIS Computer System checks are negative for felony convictions. FBI checks are pending.

FINGERPRINTS:

Kristen and Nicholas Keech will make an appointments with "Fieldprint Fingerprinting Services" for fingerprinting on a later date.

FINANCIAL STATEMENT OF KEECH OHANA LLC AS OF JANUARY 31, 2021:

Applicant submitted a Financial Statement to the Commission and certified by the applicant to be substantially correct as of February 28, 2021.

TEMPORARY APPLICATION FILED:

The applicant filed for a Temporary Liquor License, Application 21-23097 on April 2, 2021.

ASSET PURCHASE AGREEMENT:

According to a document titled "Asset Purchase Agreement," dated **December 14, 2020**, and submitted to the Commission on April 21, 2021, by authorized Representative Keith Kiuchi, TahitiChef LLC dba BREW'D (Seller) enters into an asset purchase agreement with the applicant, Keech Ohana LLC (Purchaser), where-as the Seller wishes to sell all the assets of the restaurant "Brew'D" and the Purchaser agrees to purchase said assets for a sum of \$195,000, immediately upon the availability of funds but to close no later than 120 days after the agreement date, approximately on April 14, 2021. The purchase is for the entirety of the business and assets in conjunction with said business.

Article VIII Conditions To Closing 8.1 Conditions to Obligation of the Purchaser: (h) "The purchaser shall have received all Permits that are necessary for it to conduct the Business as conducted by the Seller as of the Closing Date, **except for the Liquor Licenses which shall be transferred by the Seller to Purchaser after the Closing Date.**

See **Exhibit B** for further details.

BILL OF SALE:

An undated, unexecuted document titled "Form Bill of Sale" was provided by the applicant. TahitiChef LLC (Seller) enters into a sales agreement with the applicant, Keech Ohana LLC (Purchaser), where-as the Seller wishes to sell all assets of the restaurant "Brew'D" and to the Purchaser agrees to purchase said assets for a sum of \$10.00.

LICENSE IN EFFECT FOR MORE THAN ONE YEAR:

Liquor Commission records reveal that the current Restaurant license has been in effect from April 8, 2014 and is currently in safekeeping.

DESCRIPTION OF THE PROPOSED LICENSED PREMISES:

Location: The premises is located at 3441 Waialae Avenue, Honolulu.

Details of premises: The licensed premises is irregularly shaped single story structure measuring approximately 1,674 square feet.

- Total Space – 1,674 approximate square feet
- Designated Kitchen – 256 approx. square feet (16 x 16 square feet)
- Outdoor seating area – 561 approx. square feet
- Stand-Alone Bar
- Restrooms located within the licensed premises

See **Exhibit C** for floor plan.

Parking: Only 2 parking stalls available in the parking lot. Street parking and the surrounding public parking lots are available.

REASON FOR THE TRANSFER:

According to the applicant the reason for the transfer is due to the seller getting out of the business.

OTHER MATTERS PERTAINING TO THE APPLICATION WHICH MAY AFFECT ISSUANCE OF THE LICENSE:

Kind of business:

- Restaurant: Tap House Restaurant
- 11 employees / 3 registered Managers
- Hours of Operation: Monday – Friday 4:00pm to 12:00am
Saturday and Sunday 2:00pm to 12:00am

Lease: A Lease between Kiyomon USA, Inc. (Landlord) and Keech Ohana LLC (Tenant) dated December 31, 2020 for a term of 60 months, beginning **January 1, 2021** until December 31, 2025 has been received by the Commission.

Preliminary Inspection: On April 29, 2021, a preliminary inspection was conducted. The current layout does match the submitted floor plan.

Gross Liquor Sales Report: On April 21, 2021, the applicant submitted an electronic version of the previous year Gross Liquor Sales reports in connection with this application.

See **Exhibit D** for further details

PENDING VIOLATIONS:

None

OTHER LIQUOR LICENSED INTERESTS:

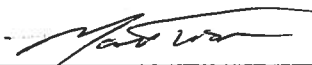
None

ZONING CLEARANCE:

An approved Department of Planning and Permitting zoning clearance is required prior to the issuance of the liquor license.

OPINION:

In my opinion, the applicant has met the minimum requirements of filing this application. However, it appears that the business has been transferred prior to Commission approval was obtained.

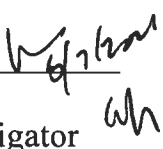


Matthew Foster
Licensing Investigator

Reviewed by:



Daniel Sato
Supervising Investigator


6/1/2011
WH

711 KAPIOLANI BOULEVARD, SUITE 600, HONOLULU, HAWAII 96813-5249
PHONE (808) 768-7300 • FAX (808) 768-7311
INTERNET ADDRESS: www.honolulu.gov/liq

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Rule 3-83-53.1

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CITIZENSHIP* U.S. Citizen DATE ARRIVED IN HAWAII (if applicable) JUNE 2016
 *(If not a U.S. citizen, indicate type of Visa, or Resident Alien Card No. or Immigration Department No.)

[illegible]

NOTARY INITIAL:

EXHIBIT A

List your experience in the liquor industry: NONE

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Will you devote time to manage the subject business?

☒ YES ☐ NO

2021 APR 21 PM 1:24

If answer is "YES", will it be ☐ FULL TIME, or ☒ PART-TIME?

I, KRISTEN KEECH

(Print Applicant's Full Name)

, of

(Residential Address, City, State, Zip Code)

being first duly sworn, deposes, and says, that the above information is true and correct and that I

(☐ have or ☒ have not) been convicted of any felony charge.

John Keen

Signature



FOR NOTARY USE ONLY

STATE OF HAWAII
City and County of Honolulu

} SS.

On this 11th day of March, in the year of 2021, personally appeared

Kristen Nicole Keen

who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to within the foregoing instrument and acknowledged to me that ~~he/she/they~~ executed the same in ~~his/her/their~~ authorized capacity(ies), and that by ~~his/her/their~~ signature on the aforementioned instrument the person, or the entity upon behalf of which the person acted, executed the aforementioned instrument in free act and deed.

John Keen

Signature of applicant(s) before Notary

Subscribed and sworn to before me this:

11th day of March, 20 21

Chad Nishimura

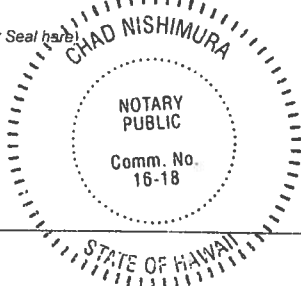
Signature of Notary

Print Name Chad Nishimura

Notary Public, State of Hawaii

My commission expires 01/17/2024

(Place Notary Stamp or Seal here)



NOTARY CERTIFICATION

Date of Doc: 3/11/21

of Pages: 2

Notary Name: Chad Nishimura

1st Circuit

Doc. Description: Personal History and Affidavit

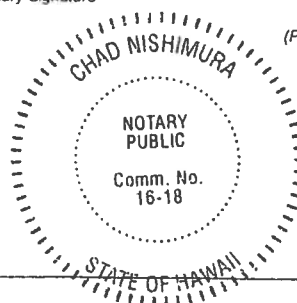
Chad Nishimura

Notary Signature

3/11/21

Date

(Place Notary Stamp or Seal here)



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LIQUOR COMMISSION
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2021 APR 21 P 1:20

Rule 3-83-53.1

(If additional space is needed, please use reverse side)

NOTARY INITIAL: 

List your experience in the liquor industry: None

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Will you devote time to manage the subject business? ☒ Yes ☐ No

If answer is "YES", will it be ☐ Full time, or ☒ Part-time?

I, Nicholas Keech

, of _____

(Full Street Address, City, State, Zip)

being first duly sworn, deposes, and says, that the above information is true and correct and that I ☐ have ☒ have not) been convicted of any felony charge.



Signature

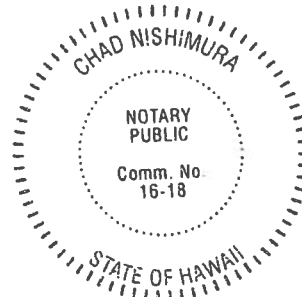
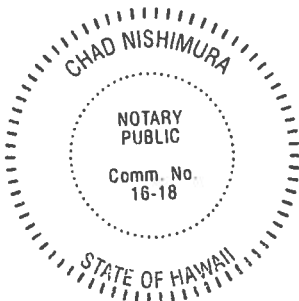


STATE OF HAWAII
City and County of Honolulu

} SS.

On this 11th day of March, in the year of 2021, personally appeared John Nicholas Keech who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to within the foregoing instrument and acknowledged to me that he/~~she~~ executed the same in his/~~her~~ authorized capacity(~~ies~~), and that by his/~~her~~ signature(~~s~~) on the aforementioned instrument the person, or the entity upon behalf of which the person acted, executed the aforementioned instrument in free act and deed.

<p> Signature of applicant(s) before Notary</p> <p>Subscribed and sworn to before me this: <u>11th</u> day of <u>March</u>, 20 <u>21</u> <u>Chad Nishimura</u> Signature of Notary</p> <p>Print Name: <u>Chad Nishimura</u> Notary Public, State of Hawaii</p> <p>My commission expires <u>01/17/2024</u></p> <p>(Place Notary Stamp or Seal here)</p>	<p>NOTARY CERTIFICATION</p> <p>Date of Doc: <u>3/11/21</u> # of Pages: <u>2</u></p> <p>Notary Name: <u>Chad Nishimura</u> <u>1st</u> Circuit</p> <p>Doc. Description: <u>Personal History and Affidavit</u></p> <p><u>Chad Nishimura</u> <u>3/11/21</u> Notary Signature Date</p> <p>(Place Notary Stamp or Seal here)</p>
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2021 APR 21 P 1:22

ASSET PURCHASE AGREEMENT
BY AND AMONG
KEECH OHANA LLC, AS PURCHASER
AND
TAHITICHEF LLC, AS SELLER
AND
THE PRINCIPAL

Dated as of December 14, 2020

ASSET PURCHASE AGREEMENT

THIS ASSET PURCHASE AGREEMENT (this "Agreement"), dated as of December 14, 2020, is made by and among KEECH OHANA LLC, a Hawaii limited liability company (the "Purchaser"), TAHITICHEF LLC, a Hawaii limited liability company ("Seller") and TROY TEROROTUA (the "Principal").

WITNESSETH:

This Agreement contemplates a transaction in which Purchaser will purchase all of Seller's right, title and interest, of any kind and nature, relating, directly or indirectly, to the development, ownership and operation of the Restaurant and the trade names associated therewith.

WHEREAS, the Seller is engaged in the business of owning and operating that certain restaurant called "BREW'd Craft Pub" in Kaimuki, Honolulu, Hawaii (the "Restaurant" or "Business");

WHEREAS, the Principal owns all of the issued and outstanding equity interests in Seller; and

WHEREAS, the Seller desires to sell to the Purchaser the Purchased Assets (as defined below), including the Business, and the Purchaser desires to acquire the same from the Seller, upon the terms and subject to the conditions hereinafter set forth.

NOW, THEREFORE, in consideration of the premises and the mutual representations, warranties, covenants and agreements hereinafter contained, the parties hereto hereby agree as follows:

ARTICLE I

DEFINITIONS

1.1 Certain Definitions.

(a) For purposes of this Agreement, the following terms shall have the meanings specified in this Section 1.1:

"Accounts Receivable" means all accounts receivable of the Seller.

"Affiliate" means, with respect to any Person, any other Person that, directly or indirectly through one or more intermediaries, controls, or is controlled by, or is under common control with, such Person, and the term "control" (including the terms "controlled by" and "under common control with") means the possession, directly or indirectly, of the power to direct or cause the direction of the management and policies of such Person, whether through ownership of voting securities, by contract or otherwise.

(ix) Made Available. An item shall be considered “made available” to the Purchaser, to the extent such phrase appears in this Agreement, only if such item has been provided in writing to the Purchaser.

(x) Reflected On or Set Forth In. An item arising with respect to a specific representation or warranty shall be deemed to be “reflected on” or “set forth in” a balance sheet or financial statements or information, to the extent any such phrase appears in such representation or warranty, if (A) there is a reserve, accrual or other similar item underlying a number on such balance sheet or financial statements or information that relate to the subject matter of such representation, (B) such item is otherwise specifically set forth on the balance sheet or financial statements or information or (C) such item is reflected on the balance sheet or financial statements or information and is specifically set forth in the notes thereto.

(c) The parties hereto have participated jointly in the negotiation and drafting of this Agreement and, in the event an ambiguity or question of intent or interpretation arises, this Agreement shall be construed as jointly drafted by the parties hereto and no presumption or burden of proof shall arise favoring or disfavoring any party by virtue of the authorship of any provision of this Agreement.

ARTICLE II

SALE AND PURCHASE OF ASSETS

2.1 Sale and Purchase of the Assets. Upon the terms and subject to the conditions set forth in this Agreement, at the Closing, the Seller shall sell, assign, transfer, convey and deliver to the Purchaser, and the Purchaser shall purchase and acquire from the Seller, free and clear of all Liens, all right, title and interest of the Seller in and to all of its properties, assets, contracts and rights, of every kind and description and wherever located, related to, used in or intended for use in connection with the Business as currently conducted or currently contemplated to be conducted, other than the Excluded Assets (as defined below) (collectively, the “Purchased Assets”), including without limitation the following:

(a) all fixed assets, including, without limitation, all furniture, fixtures, equipment, machinery, tools, vehicles, office equipment, supplies, computers, telephones and other tangible personal property wherever located, including, without limitation, those set forth on Schedule 2.1(a);

(b) all inventory, stock in trade, merchandise, goods, supplies and other products, raw materials, work in progress, finished products, supply and packaging items, promotional materials and similar items, wherever located, including, without limitation, those set forth on Schedule 2.1(b) (collectively, the “Inventory”);

(c) all Permits, including, without limitation, those set forth on Schedule 5.17;

(d) all contracts set forth on Schedule 2.1(d) (the “Assumed Contracts”) and all customer deposits and prepayments associated with any Assumed Contracts (the “Customer Deposits”), including, without limitation, those Customer Deposits set forth on Schedule 2.1(d);

permission to assign or transfer, or by reason of or pursuant to any transfer to the Purchaser, this Agreement shall not constitute an agreement to assign any such Assumed Contract, property or asset or any claim or right or any benefit arising thereunder or resulting therefrom if any such attempted assignment would constitute a default thereunder or in any way adversely affect the rights of the Purchaser thereunder. If consent to the assignment or transfer of any such Assumed Contract, property or asset is not obtained, or if an attempted assignment thereof would be ineffective or would affect the rights of the Purchaser thereunder, then, at the Purchaser's request, the Seller shall cooperate with the Purchaser in any reasonable arrangement designed to provide to the Purchaser the benefits under such Assumed Contracts, properties and assets, including without limitation, enforcement for the account of the Purchaser of any and all rights of the Seller against the other party thereto arising out of the breach or cancellation thereof by such party or otherwise; provided that such cooperation by the Seller shall not cause the Seller to violate any terms of such Assumed Contract; provided, further, that the Purchaser shall assume all of the post-Closing liabilities of the Seller under such Assumed Contracts (other than Excluded Liabilities) to the extent to which the Purchaser receives the post-Closing benefits thereof.

ARTICLE III

CONSIDERATION

3.1 Consideration. Purchaser agrees to pay to the Seller at the Closing the aggregate sum of ONE HUNDRED NINETY-FIVE THOUSAND AND 00/100 DOLLARS (\$195,000.00), subject to the adjustments described in Section 3.2 (the "Purchase Price"), payable by transfer of immediately available funds.

3.2 Purchase Price Adjustments. On the Closing Date, the Purchaser and the Seller shall determine the amount of petty cash at the Restaurant, if any, and the Purchase Price shall be increased by such amounts.

3.3 Purchase Price Allocation. The Seller and the Purchaser hereby agree that the Purchase Price (and any other items required for Tax purposes) shall be allocated for purposes of Taxes, among the Purchased Assets (including, but not limited to (i) Inventory of stock in trade, (ii) furniture and fixtures, (iii) machinery and equipment, (iv) land and buildings, (v) covenants not to compete, (vi) goodwill and other intangible assets, and (vii) other assets) in accordance with the rules of Section 1060 of the Code and the Treasury Regulations promulgated thereunder and any similar provision of state, local or foreign law. The Purchaser and Seller shall (a) cooperate in the filing of any forms (including Form 8594 under Section 1060 of the Code) with respect to the Purchase Price Allocation, including any amendments to such forms required pursuant to this Agreement with respect to any adjustments to the Purchase Price and (b) file all federal, state and local Tax Returns and related tax documents consistent with such allocations, as the same may be adjusted pursuant to the terms of Section 3.2 or any other provisions of this Agreement, and not take any position (whether in audits, Tax Returns or otherwise) inconsistent with such allocation unless otherwise required by applicable law. Notwithstanding anything in this Agreement to the contrary, no amendment to the Purchase Price Allocation shall be effective without the approval and consent of Purchaser and Seller.

ARTICLE IV

CLOSING

4.1 Closing. On the terms and subject to the conditions set forth in this Agreement, the closing of the sale and purchase of the Purchased Assets provided for in Section 2.1 hereof and the assumption of the Assumed Liabilities provided for in Section 2.3 hereof (the "Closing") shall take place remotely via the exchange of electronic copies of documents, and shall be deemed to have taken place simultaneously with the satisfaction of the conditions to Closing set forth in Article VIII. The date on which the Closing is to occur is herein referred to as the "Closing Date."

4.2 Deliverables. On or prior to the Closing:

- (a) the Seller shall deliver to the Purchaser:
 - (i) the Books and Records, and
 - (ii) the Required Consents (as defined below);
- (b) Seller and the Principal shall execute and deliver to the Purchaser:
 - (i) each of the Transaction Documents to which it is a party,
 - (ii) such other instruments of conveyance as the Purchaser may reasonably request in order to effect the sale, transfer, conveyance and assignment to the Purchaser of valid ownership of the Purchased Assets;
- (c) the Purchaser shall execute and deliver to the Seller each of the Transaction Documents to which it is a party; and
- (d) the Purchaser shall deliver to the Seller the Purchase Price.

ARTICLE V

REPRESENTATIONS AND WARRANTIES OF THE SELLER AND THE PRINCIPAL

The Seller and the Principal hereby jointly and severally represent and warrant to the Purchaser as follows:

5.1 Organization and Good Standing. Seller is duly organized, validly existing and in good standing under the Laws of the state of its formation and has all requisite power and authority to own, lease and operate its properties and assets and carry on its business. Seller is duly qualified or authorized to do business and is in good standing under the Laws of each jurisdiction in which it owns, leases or operates its properties and assets and each other jurisdiction in which the conduct of its business or the ownership of its properties and assets requires such qualification or authorization.

Gift Card Liability Period. Following the expiration of the Gift Card Liability Period, the Gift Card Escrow Agent shall deliver to Seller the remaining balance of the Gift Card Escrow Account in accordance with the Gift Card Escrow and Reimbursement Agreement. Disbursements to Purchaser in connection with the redemption of Gift Cards, House Accounts, Comps and Promotional Discounts during the period of the Gift Card Escrow Account shall be in accordance with the terms, and subject to the conditions, set forth in the Gift Card Escrow and Reimbursement Agreement.

7.18 Redemption of Gift Cards. Following the expiration of the Gift Card Liability Period, Purchaser shall continue to honor any Gift Cards issued by Seller prior to the Closing Date and presented to Purchaser for redemption, subject to Section 7.17 above.

7.19 *Intentionally omitted.*

7.20 Real Property Lease Notices. Seller will provide the Purchaser with copies of all notices from any landlord under each Real Property Lease within three (3) business days of receipt of such notice and vice versa.

7.21 Report of Bulk Sale or Transfer; Tax Clearance Certificates. Purchaser and Seller acknowledge the allocation of the Purchase Price is required to be set forth in the Report of Bulk Sale or Transfer required under Section 237-43 of the Hawai'i Revised Statutes (the "Bulk Sale Tax Report"), the form of which is attached hereto as Schedule 7.21. The allocations set forth in the Bulk Sale Tax Report, or in any other report required by applicable law that requires the Purchase Price to be allocated among portions of the Purchased Assets and/or among the Seller shall conform to the Purchase Price Allocation as determined by Section 3.4—Purchase Price Allocation. Not later than ten (10) Business Days after the Closing Date, Seller shall file with the State of Hawai'i Department of Taxation the Bulk Sale Tax Report and a special Hawai'i general excise Tax Return for the Taxes due for the sale of inventory, pay all Taxes that are payable in connection with the filing of such return and file such returns and pay any other Taxes, interest and penalties, if any, as may be required to cause the Department of Taxation to issue the certificate that said Bulk Sales Tax Report has been filed and that all taxes, penalties and interest due on the date thereof have been paid, and Seller will deliver the filed-stamped report and certification to Purchaser. In the event Seller is unable to obtain the certification by the Department of Taxation that all taxes, penalties and interest due have been paid by Seller, Seller shall indemnify, defend and hold Purchaser harmless from any liability, claims and loss suffered by Purchaser arising from the failure of Seller to obtain such certification.

ARTICLE VIII

CONDITIONS TO CLOSING

8.1 Conditions to Obligations of the Purchaser. The obligation of the Purchaser to consummate the transactions contemplated by this Agreement is subject to the satisfaction (or wavier by the Purchaser) of the following additional conditions:

(a) The representations and warranties of the Seller and the Principal set forth in this Agreement, the other Transaction Documents and any certificate or other writing

delivered pursuant hereto shall be true and correct in all respects (in the case of any representation or warranty qualified by materiality or Material Adverse Effect) or in all material respects (in the case of any representation or warranty not qualified by materiality or Material Adverse Effect) on and as of the date hereof and on and as of the Closing Date with the same effect as though made at and as of such date (except those representations and warranties that address matters only as of a specified date, the accuracy of which shall be determined as of that specified date).

(b) The Seller and the Principal shall have duly performed and complied in all material respects with all agreements, covenants and conditions required by this Agreement and each of the other Transaction Documents to be performed or complied with by it as of or prior to the Closing Date.

(c) The Seller and the Principal shall have obtained at their own expense (and shall have provided executed copies thereof to the Purchaser) all Required Consents, all of which shall be in full force and effect.

(d) No Legal Proceeding (i) challenging or seeking to prevent the consummation of the transactions contemplated by this Agreement, or (ii) that would cause the transactions contemplated by this Agreement to be rescinded following consummation, or (iii) that would affect adversely the right of the Purchaser to own, operate or control any of the Purchased Assets, or to conduct the Business as currently conducted, following the Closing, and no such judgment, order, decree, stipulation or injunction shall be in effect.

(e) No Material Adverse Effect shall have occurred, and no event or circumstance shall have occurred or arisen that would reasonably be expected to result in a Material Adverse Effect.

(f) No data breach or compromise of Seller's information security systems shall have occurred.

(g) The Seller and the Principal shall have duly executed and delivered each Transaction Document (other than this Agreement) to which it is a party and such other documents or deliverables required of it in connection with the Closing under Section 4.2.

(h) The Purchaser shall have received all Permits that are necessary for it to conduct the Business as conducted by the Seller as of the Closing Date, except for the Liquor Licenses which will be transferred by Seller to Purchaser after the Closing Date.

(i) The Seller shall have delivered to the Purchaser payoff letters with respect to all secured indebtedness of the Seller and documents evidencing the release or termination of all Liens on the Purchased Assets, and copies of UCC termination statements to be filed upon the Closing with respect to all UCC financing statement evidencing Liens.

8.2 Conditions to Obligations of the Seller. The obligation of the Seller to consummate the transactions contemplated by this Agreement is subject to the satisfaction (or waiver by the Seller) of the following additional conditions:

(c) The waiver of any condition based on the accuracy of any representation or warranty, or on the performance of or compliance with any covenant or agreement, shall not affect the right to indemnification or other remedy based on any such representation, warranty, covenant or agreement.

9.6 Tax Treatment of Indemnity Payments. The Seller and the Purchaser agree to treat any indemnity payment made pursuant to this Article IX or otherwise as an adjustment to the consideration for the Purchased Assets for federal, state, local and foreign income tax purposes.

9.7 Exclusive Remedy. The sole and exclusive remedy following Closing for any breach or default under this Agreement shall be indemnification in accordance with this Article IX (including but not limited to Section 9.5(b)), except with respect to any claim based upon fraud by the Purchaser or the Seller.

ARTICLE X

TERMINATION

10.1 Termination. This Agreement may be terminated at any time prior to the Closing:

(a) by mutual written consent of the parties;

(b) by the Purchaser by written notice to the Seller if:

(ii) Seller is in breach of any representation, warranty or covenant contained in this Agreement that would give rise to the failure of any of the conditions specified in Section 8.1 and such breach is not cured within five (5) days following delivery by the Purchaser to the Seller of written notice detailing the nature of such breach; or

(iii) the Closing shall not have occurred on or before one hundred twenty (120) days following the date of this Agreement by reason of the failure of any condition precedent under Article VIII (unless the failure results primarily from a breach by the Purchaser of any representation, warranty or covenant contained in this Agreement);

(c) by the Seller by written notice to the Purchaser if:

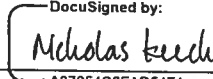
(ii) the Purchaser is in breach of any representation, warranty or covenant contained in this Agreement that would give rise to the failure of any of the conditions specified in Section 8.2 and such breach is not cured within five (5) days following delivery by the Seller to the Purchaser of written notice detailing the nature of such breach; or

(iii) the Closing shall not have occurred on or before one hundred twenty (120) days following the date of this Agreement by reason of the failure of any condition precedent under Article VIII (unless the failure results primarily from a breach by Seller of any representation, warranty or covenant contained in this Agreement).

IN WITNESS WHEREOF, each of the parties has caused this Agreement to be duly executed on its behalf as of the date first written above.

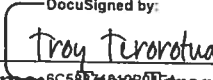
PURCHASER:

KEECH OHANA LLC

By: 
Nicholas Keech, Manager

SELLER:

TAHITI CHEF LLC

By: 
Name: Troy Terorotua
Title: Manager

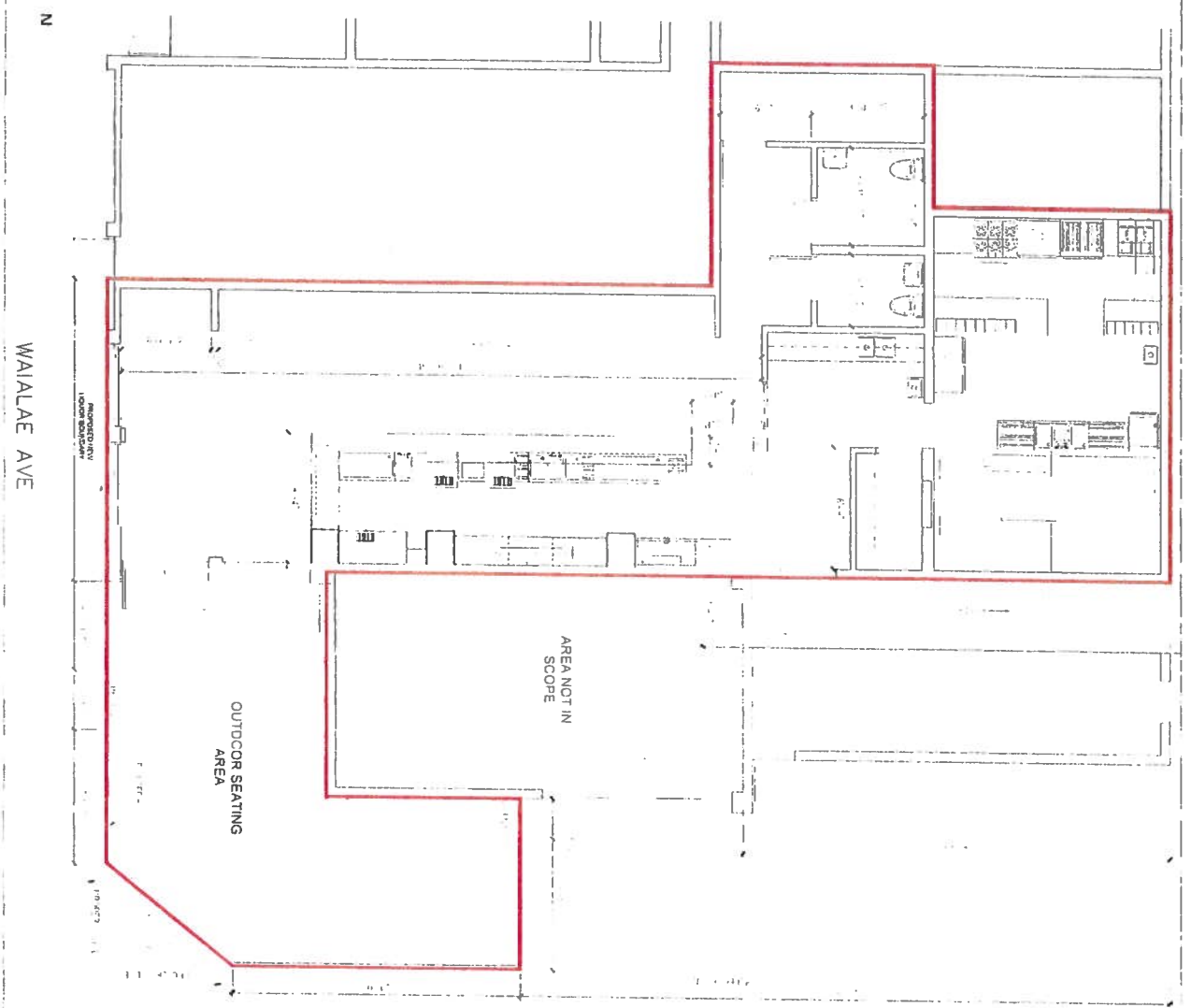
PRINCIPAL:

TROY TEROROTUA

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FLOOR PLAN

Scale: 1/8" = 1'-0"



BREW'D CRAFT PUB 3441 WAIALAE AVE HONOLULU, HI 96816 TMK: 3-2-005:024																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																			
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**LIQUOR COMMISSION
CITY AND COUNTY OF HONOLULU**

711 KAPIOLANI BOULEVARD, SUITE 600, HONOLULU, HAWAII 96813-5249
PHONE (808) 768-7300 • FAX (808) 768-7311
INTERNET ADDRESS: www.honolulu.gov/liq

**RECEIVED
LIQUOR COMMISSION
C&C OF HONOLULU**

R

DECLARATION OF GROSS LIQUOR SALES

[FY19 ANNUAL REPORTING]

(Pursuant to Rule 3-81-17.54(c))

REPORT DUE WEDNESDAY, JULY 31, 2019

To report a partial period, use a "Partial Period Reporting Form"

For input instruction, move your cursor over the red field.

FOR LATE FILING ONLY

☐ OTC BY _____

☐ PM DATE _____

LICENSEE

TAHITICHEF LLC

TRADE NAME

BREW'D

MAILING ADDRESS 2312 KANEALII AVE HON HI 96813

NAME/TITLE OF PERSON PREPARING REPORT JANE SIEVERTS

EMAIL ADDRESS (Required) jsieverts@hawaii.rr.com

LICENSE NO. **R1070**

PHONE NO. 732-2337

PHONE NO. 395-2828

COMPUTATION OF ADDITIONAL LICENSE FEE

1. Gross Sales from JULY 1, 2018 to JUNE 30, 2019

(All sales include the State General Excise Tax and Off-premises Catering Sales.)

2. Total Food Sales

3. Total Non-Alcoholic Beverage Sales

4. Total Liquor Sales (Line 1 minus Lines 2 and 3)

5. Complimentary Drinks and/or Samples (Report at the full value)

6. **GROSS LIQUOR SALES (GLS)** (Add Lines 4 and 5)

7. Less FY19 Deductible

8. NET GLS (Line 6 minus Line 7. Enter "0", if less than "0".)

9. Assessment Rate of the class of the respective license

10. **ADDITIONAL LICENSE FEE DUE AND PAYABLE** (Multiply Lines 8 and 9; Limited to \$25,000)

11. **Please Enter the Amount of Your Payment**

Please make checks payable to "City & County of Honolulu"

1. 985,161.54

2. 282,076.71

3. 7,060.83

4. 696,024.00

5. incl. in Line 4

6. **696,024.00**

7. 203,000.00

8. 493,024.00

9. 0.005

10. **2,465.12**

11. **2,465.12**

CK #5762

COST OF LIQUOR SOLD

A. Beginning Liquor Inventory as of July 1, 2018

B. Total Liquor Purchases for Fiscal Year 2019

C. Ending Liquor Inventory as of June 30, 2019

D. **Cost of Liquor Sold for the period** (Lines A + B - C)

A. 12,208.52

B. 158,783.28

C. 21,869.74

D. **149,122.06**

Pursuant to §3-81-17.5 et seq., the Rules of the Liquor Commission, and under the penalties set forth in §281, Hawaii Revised Statutes, I certify that this Gross Liquor Sales Report is true, accurate, and complete, and I am authorized to submit this report.

07/24/2019

Date

OFFICE USE ONLY

Initial

Date

Signature of Officer, Member, or Authorized Agent

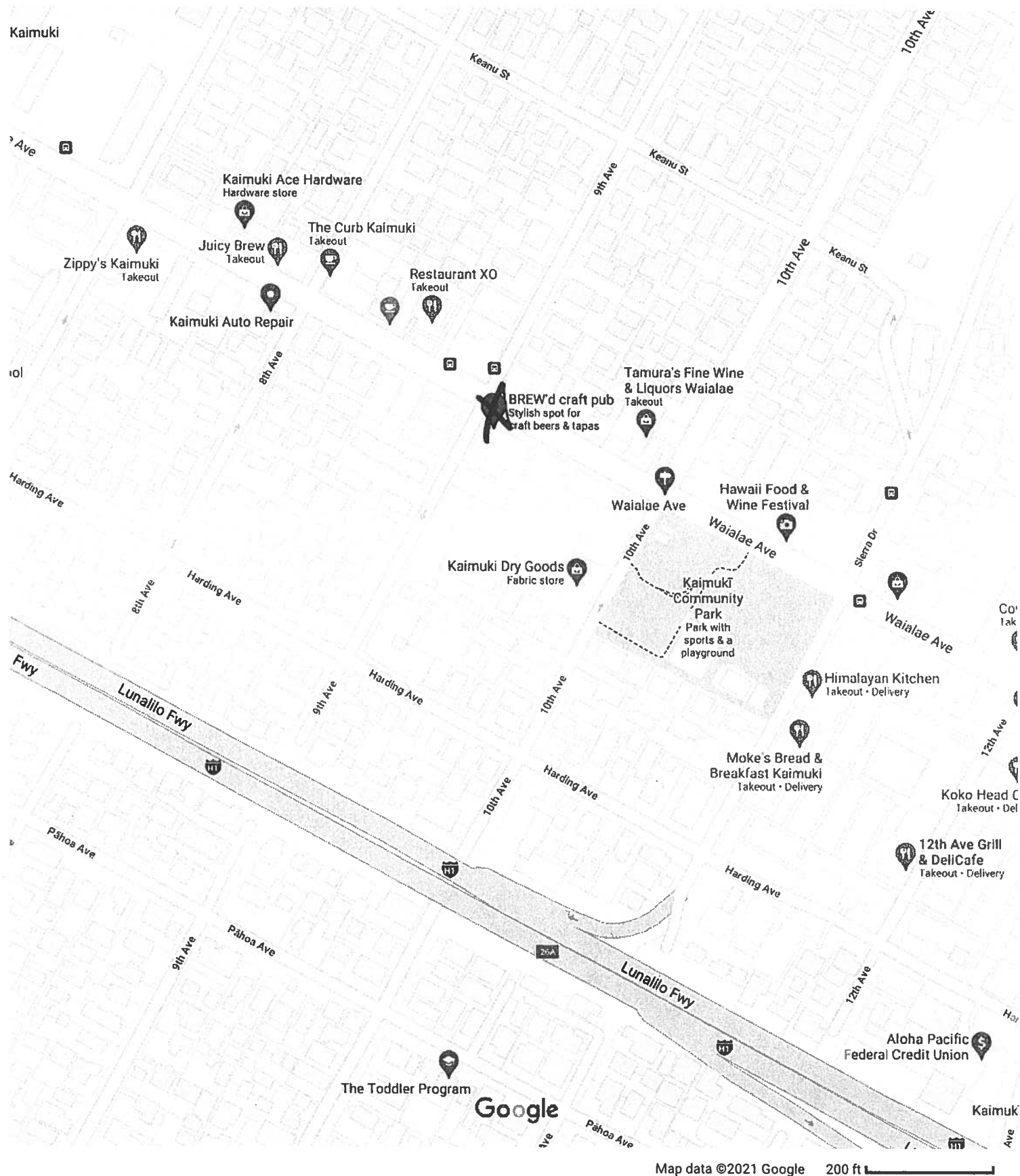
JANE SIEVERTS

Print Name/Title

For assistance, please contact HLC Auditing Team:
(808) 768-7343; Liq-Auditing@honolulu.gov

EXHIBIT D

Google Maps BREW'd craft pub



Continued from

MAY 20 2021 to MAY 27 2021

SUPPLEMENTAL LICENSING INVESTIGATIVE REPORT

DATE: May 20, 2021

SUBJECT: New Application No. 19-16461 from Pesca Waikiki Beach Inc., dba Pesca Waikiki Beach Inc., Restaurant General (Category 2: Music/Dancing license) at 1777 Ala Moana Boulevard Sky Room 30A/30B, Honolulu.

AFFIDAVIT OF MAILING:

On April 5, 2021, the Affidavit of Mailing, Master List, and Proof of Mailing was submitted to the Commission.

The Affidavit of Mailing identified a total of five (5) condominiums within the 500 feet area. The applicant indicated that there was a total of four (4) notices sent out to those condominiums, with a total of 80.0% being mailed out.

The applicant was notified that pursuant to Hawaii Revised Statutes §281-57 (c) (3) For each condominium project and cooperative apartment within the five hundred-foot area, one notice of the hearing shall be sent by mail addressed "To the Residents, Care of the Manager", followed by the name and address of the condominium or cooperative apartment involved.

The applicant was notified that they were required to notify all condominium projects within 500 feet, which should be a total of 100%.

The person who mailed the notices and filed the Affidavit of Mailing, Benson Kim, informed this writer that the Affidavit of Mailing was a typo, and further indicated that the number of total condominiums should have reflected four (4) within 500 feet and not five (5). This writer informed Kim that we will verify the information submitted on the Affidavit of Mailing, Proof of Mailing, and Master List.

This writer conducted further checks into the Affidavit of Mailing, master list and proof of mailing.

ADDITIONAL DISCREPANCIES FOUND:

This writer found the following issues and discrepancies. The location of tax map key #26010011 is 1775 Ala Moana Boulevard, which is located within 500 feet from the proposed premises.

The master list submitted with the affidavit of mailing **did not reflect the condominium for tax map key #26010011**, for address 1775 Ala Moana Boulevard, Honolulu, which is identified as a **condominium parcel**.

The master list did not identify all the individual owners and lessees, for tax map key #26010011.

The proof of mailing does not show notification was made to the manager of the condominium, identified as 1775 Ala Moana Boulevard, Honolulu, named "The Modern Honolulu".

Verifications were made of the City and County of Honolulu Real Property Tax and Department of Planning and Permitting websites, which confirmed that the Affidavit of Mailing should have reflected a total **five (5) condominium parcels within 500 feet**.

This writer notified the applicant immediately upon discovering this discrepancy and further informed them that pursuant to HRS §281-57 (c)(3), the applicant shall file with the commission an affidavit that the notices have been mailed in compliance with this subsection. In addition to the affidavit, (which shall be made available within the same seven-business day period with proof of having mailed the notices), **the applicant shall include both a master list of one hundred per cent of addressees and addresses required by paragraphs (1), (2), and (3), and another mailing list consisting of the portion of addressees and their respective addresses who were mailed the notice purposely needed to meet the requirements of paragraphs (1), (2), and (3).**

According to HRS §281-57 (c)(3), **"master list" means every owner and lessee who would otherwise be required to receive notice of the public hearing according to the requirement of paragraphs (1), (2), and (3), even if they were not actually included in the two-third or three-fourths requirement (as the case may be) of paragraph (1) or (2), and every**

ADDITIONAL DISCREPANCIES FOUND:

condominium project and cooperative apartment qualifying in paragraph (3).

When the requirements of this section have not been met, the commission may cancel the hearing or continue the public hearing subject to the provisions of this section.

According to HRS §281-57 (c)(1) **Not less than two-thirds of the owners and lessees of record of real estate and owners of record of shares in a cooperative apartment or to those individuals on the list of owners as provided by the managing agent or governing body of the shareholders association situated within a distance of five hundred feet from the nearest point of the premises for which the license is asked to the nearest point of such real estate or cooperative apartment;** provided that in meeting this requirement, the applicant shall mail a notice to not less than three-fourths of the owners and lessees of record of real estate and owners of record of shares in a cooperative apartment situated within a distance of one hundred feet from the nearest point of the premises for which the license is asked. **Notice by mail** may be addressed to the last known address of the person concerned or to the address as shown in the **current real property tax record of the person** or the person's agent or representative.

The information regarding tax map key #26010011, located at 1775 Ala Moana Boulevard, being converted to a condominium property appears to be recorded with the State of Hawaii Bureau of Conveyance on **June 18, 2020.**

EXHIBITS LIST WITH DESCRIPTIONS:

Exhibit A1: Affidavit of Mailing: indicating a total of five (5) condominiums were identified as being within 500 feet from the proposed premises.

Exhibit A2: Affidavit of Mailing: indicating a total of four (4) condominiums were sent notices to managers of condominiums for a total of 80%.

Exhibit B1: The City and County of Honolulu Department of Planning website print out for TMK #: 26010011, located at 1775 Ala Moana Boulevard.

EXHIBITS LIST WITH DESCRIPTIONS (CONTINUED):

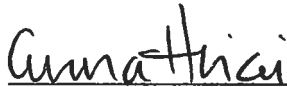
Exhibit B2: The City and County of Honolulu Real Property Tax website printout showing owners and lessees of record for TMK #: 26010011, located at 1775 Ala Moana Boulevard.

Based on the following information, pursuant to HRS §281-57 (c)(1)& (3) statutory requirements for mailing have not been met.



Daniel Sato
Supervising Investigator

Reviewed by:



Anna Hirai
Assistant Administrator

001 23-5 APR 36

AFFIDAVIT OF MAILING

STATE OF HAWAII)
City and County of Honolulu) SS.

BENSON KIM, being first duly sworn, deposes and says that he or she is authorized to and does make this verification for and on behalf of the applicant Pesca Waikiki Beach Inc., dba Pesca Waikiki Beach Inc., named in the application for liquor license designated as Application No. 9-16461, on file at the office of the Liquor Commission of the City and County of Honolulu.

That to the best of his or her knowledge and belief, the total number of individual owners or lessees of record of real estate (including owners or lessees of condominiums) and of shares in a cooperative apartment building, the total number of small businesses, the total number of registered voters, the total number of condominiums, and the total number of cooperative apartment buildings within the designated distances from the nearest point of the premises for which the license is proposed are:

<u>Within 500 feet</u>		<u>Within 100 feet</u>	
No. of owners and lessees of record ¹	<u>1,784</u>	No. of owners and lessees of record ¹	<u>822</u>
No. of small businesses ²	<u>N/A</u>	No. of small businesses ²	<u>N/A</u>
No. of registered voters ^{2,3}	<u>N/A</u>	No. of registered voters ^{2,3}	<u>N/A</u>
No. of condominiums ¹	<u>5</u>	No. of condominiums ¹	<u>1</u>
No. of cooperative apartment buildings ¹	<u>0</u>	No. of cooperative apartment buildings ¹	<u>0</u>
TOTAL <u>1,789</u>		TOTAL <u>823</u>	

1. For all new licenses going to public hearing and for transfers of dispenser and cabaret class licenses.
2. For all new licenses going to public hearing except a hotel as defined in section 486K-1, a restaurant, or a convenience store and for transfers of dispenser and cabaret class licenses.
3. Voter registration lists are available from the office of the City Clerk; call 523-4293 for information.

That a notice setting forth the time and place of the public hearing, which is 4:00 p.m., Thursday, MAY 20, 2021, to be held at the hearings room of the Liquor Commission, sixth floor of the Pacific Park Plaza, 711 Kapiolani Boulevard, Honolulu, Hawaii 96813, was mailed on Thursday APR. 1, 2021, which is not less than forty-five days prior to the date set for the public hearing, to not fewer than two-thirds of the owners and lessees of record, of the small businesses, and of the registered voters within 500 feet, to not fewer than three-fourths of the owners and lessees of record, of the small businesses, and of the registered voters within 100 feet, and to the resident managers of all of the condominiums and all of the cooperative apartment buildings within 500 feet. For the purposes of this requirement, notice to one co-owner and one co-lessee shall be sufficient notice to all co-owners and all co-lessees, except that one notice shall be sent to each individual unit of a cooperative apartment.

<u>Within 500 feet</u>			<u>Within 100 feet</u>		
	<u>Number</u>	<u>Per Cent</u>		<u>Number</u>	<u>Per Cent</u>
To owners and lessees of record ¹	<u>1278</u>	<u>71.6 %</u>	To owners and lessees of record ¹	<u>632</u>	<u>76.9 %</u>
To small businesses ²	<u>N/A</u>	<u>N/A %</u>	To small businesses ²	<u>N/A</u>	<u>N/A %</u>
To registered voters ²	<u>N/A</u>	<u>N/A %</u>	To registered voters ²	<u>N/A</u>	<u>N/A %</u>
To managers of condominiums and cooperatives ¹	<u>* 4</u>	<u>* 80.0 %</u>	To managers of condominiums and cooperatives ¹	<u>1</u>	<u>100.0 %</u>
TOTAL notices mailed ¹	<u>1,282</u>		TOTAL notices mailed ¹	<u>633</u>	

1. For all new licenses going to public hearing and for transfers of dispenser and cabaret class licenses.
2. For all new licenses going to public hearing except a hotel as defined in section 486K-1, a restaurant, or a convenience store and for transfers of dispenser and cabaret class licenses.

BENSON KIM

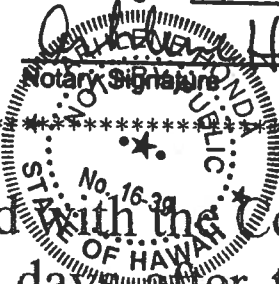
[Signature]

Subscribed and sworn to before me
this 2nd day of APRIL, 2021.

[Signature: Arhlene Honda]
Notary Public, First Judicial Circuit,
State of Hawaii
My commission expires: 2/14/2024



NOTARY PUBLIC CERTIFICATION
Arhlene Honda First Judicial Circuit
Doc. Description: AFFIDAVIT
OF MAILING
No. of Pages: 2 Date of Doc. 4/2/21
[Signature: Arhlene Honda] 4/2/21
Notary Signature Date



This affidavit must be filed with the Commission not later than seven business days after the mailing of the notices of public hearing.

See Hawaii Revised Statutes sections 281-39.5, 281-56(a)(9), 281-57, 281-59, and 281-60, and see Rules 3-83-53.1 and 3-83-57.1 of the Liquor Commission of the City and County of Honolulu. See Rule 3-83-57.4 for the related requirement to notify the Neighborhood Board.



City & County of Honolulu

Department of Planning & Permitting (DPP)

Property Information

1775 ALA MOANA

Thursday, May 20, 2021 | 8:10:54 AM

Select Unit: [Select Unit] ▼

General information

TMK:	26010011:0000
Building Value:	\$73,482,300 00
Building Exemption:	\$0 00
Land Value:	\$92,684,700 00
Land Exempt:	\$0 00
Acres:	0
Square Feet	71,516
<u>Property Tax Class:</u>	Hotel and Resort
City:	Honolulu / Waikiki
Zip Code:	96815
Realtor Neighborhood:	Waikiki



Nearest Park: Duke Paoa Kahanamoku Beach Park

show route

Tax Bill Owner Information

Name	Type	Address	Address 2	City State Zip
THE MODERN HONOLULU	Condo Master	CONDO MASTER	1	

2010 Census Information

Tract Number: 001901
Block Number: 1003
Population (block): 0

Voting Information

City Council Member: Tommy Waters
Polling Place: Ala Wai Community Park
Address: 2015 Kapiolani Blvd
Neighborhood Board: Waikiki

School and Transit Information

Elementary School:	Ala Wai	show route
High School:	KAIMUKI	show route
Near Transit Route:		Yes
Near Bus Routes:	8, 19, 20, 23, 42, 98A, W1, W2, W3	

Zoning and Flood Information

Zoning (<u>LUO</u>)	RESORT MIXED USE
Designation:	PRECINCT
Ohana Zoning	
Designation:	Ineligible
FEMA <u>Flood</u>	
Designation:	AE / AE
Tsunami Evacuation	
Zone:	Yes

[more public safety info >>](#)

Page Tools: [PRINT](#) | [BOOKMARK](#) | [EMAIL](#) | [STREET/BIRD'S EYE](#)

More info: [ZONE INFO](#) | [BUILDING PERMITS](#) | [PROPERTY TAX](#)

Information shown on these maps are derived from public records that are constantly undergoing change and do not replace a site survey, and is not warranted for content or accuracy.

Department of Planning & Permitting
650 S. King St, Ste 8, Honolulu, HI 96813
gis@honolulu.gov
Property Info Page FAQ

2010 Assessed Values as of October 1, 2009

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











































EXHIBIT B1

































































































































































































































































Parcel Results



































































































































329 Results

















Parcel ID ▾	Owner ▾	Property Address ▾	Map
260100110000		1775 ALA MOANA BLVD	Map
260100110001	DIAMOND RESORTS WAIKIKI DEVELOPMENT LLC	1775 ALA MOANA BLVD 210	Map
260100110002	DIAMOND RESORTS WAIKIKI DEVELOPMENT LLC	1775 ALA MOANA BLVD 211	Map
260100110003	DIAMOND RESORTS WAIKIKI DEVELOPMENT LLC	1775 ALA MOANA BLVD 219	Map
260100110004	DIAMOND RESORTS WAIKIKI DEVELOPMENT LLC	1775 ALA MOANA BLVD 221	Map
260100110005	DIAMOND RESORTS WAIKIKI DEVELOPMENT LLC	1775 ALA MOANA BLVD 228	Map
260100110006	DIAMOND RESORTS WAIKIKI DEVELOPMENT LLC	1775 ALA MOANA BLVD 230	Map
260100110007	DIAMOND RESORTS WAIKIKI DEVELOPMENT LLC	1775 ALA MOANA BLVD 232	Map
260100110008	DIAMOND RESORTS WAIKIKI DEVELOPMENT LLC	1775 ALA MOANA BLVD 234	Map
260100110009	DIAMOND RESORTS WAIKIKI DEVELOPMENT LLC	1775 ALA MOANA BLVD 236	Map
260100110010	DIAMOND RESORTS WAIKIKI DEVELOPMENT LLC	1775 ALA MOANA BLVD 310	Map
260100110011	DIAMOND RESORTS WAIKIKI DEVELOPMENT LLC	1775 ALA MOANA BLVD 311	Map
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260100110016	DIAMOND RESORTS WAIKIKI DEVELOPMENT LLC	1775 ALA MOANA BLVD 317	Map
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	260100110129	 CLUB SUNTERRA VACATIONS HAWAII TR	1775 ALA MOANA BLVD 819	Map
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	260100110158	 CLUB SUNTERRA VACATIONS HAWAII TR	1775 ALA MOANA BLVD 922	Map
	260100110159	 CLUB SUNTERRA VACATIONS HAWAII TR	1775 ALA MOANA BLVD 923	Map
	260100110160	 CLUB SUNTERRA VACATIONS HAWAII TR	1775 ALA MOANA BLVD 924	Map
	260100110161	 CLUB SUNTERRA VACATIONS HAWAII TR	1775 ALA MOANA BLVD 925	Map
	260100110162	 CLUB SUNTERRA VACATIONS HAWAII TR	1775 ALA MOANA BLVD 926	Map
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	260100110172	 CLUB SUNTERRA VACATIONS HAWAII TR	1775 ALA MOANA BLVD 936	Map
	260100110173	 DIAMOND RESORTS WAIKIKI DEVELOPMENT LLC	1775 ALA MOANA BLVD 1010	Map
	260100110174	 DIAMOND RESORTS WAIKIKI DEVELOPMENT LLC	1775 ALA MOANA BLVD 1011	Map
	260100110175	 CLUB SUNTERRA VACATIONS HAWAII TR	1775 ALA MOANA BLVD 1012	Map
	260100110176	 CLUB SUNTERRA VACATIONS HAWAII TR	1775 ALA MOANA BLVD 1014	Map
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	260100110186	 CLUB SUNTERRA VACATIONS HAWAII TR	1775 ALA MOANA BLVD 1024	Map
	260100110187	 CLUB SUNTERRA VACATIONS HAWAII TR	1775 ALA MOANA BLVD 1025	Map
	260100110188	 CLUB SUNTERRA VACATIONS HAWAII TR	1775 ALA MOANA BLVD 1026	Map
	260100110189	CLUB SUNTERRA VACATIONS HAWAII TR	1775 ALA MOANA BLVD 1027	Map
	260100110190	CLUB SUNTERRA VACATIONS HAWAII TR	1775 ALA MOANA BLVD 1028	Map

 260100110191	 CLUB SUNTERRA VACATIONS HAWAII TR	1775 ALA MOANA BLVD 1029	Map
 260100110192	 CLUB SUNTERRA VACATIONS HAWAII TR	1775 ALA MOANA BLVD 1030	Map
 260100110193	 CLUB SUNTERRA VACATIONS HAWAII TR	1775 ALA MOANA BLVD 1031	Map
 260100110194	 CLUB SUNTERRA VACATIONS HAWAII TR	1775 ALA MOANA BLVD 1033	Map
 260100110195	 CLUB SUNTERRA VACATIONS HAWAII TR	1775 ALA MOANA BLVD 1034	Map
 260100110196	 CLUB SUNTERRA VACATIONS HAWAII TR	1775 ALA MOANA BLVD 1035	Map
 260100110197	 CLUB SUNTERRA VACATIONS HAWAII TR	1775 ALA MOANA BLVD 1036	Map
 260100110198	 CLUB SUNTERRA VACATIONS HAWAII TR	1775 ALA MOANA BLVD 1110	Map
 260100110199	 DIAMOND RESORTS WAIKIKI DEVELOPMENT LLC	1775 ALA MOANA BLVD 1111	Map
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 260100110201	 CLUB SUNTERRA VACATIONS HAWAII TR	1775 ALA MOANA BLVD 1114	Map
 260100110202	 CLUB SUNTERRA VACATIONS HAWAII TR	1775 ALA MOANA BLVD 1114	Map
 260100110203	 CLUB SUNTERRA VACATIONS HAWAII TR	1775 ALA MOANA BLVD 1116	Map
 260100110204	 CLUB SUNTERRA VACATIONS HAWAII TR	1775 ALA MOANA BLVD 1117	Map
 260100110205	 CLUB SUNTERRA VACATIONS HAWAII TR	1775 ALA MOANA BLVD 1118	Map
 260100110206	 CLUB SUNTERRA VACATIONS HAWAII TR	1775 ALA MOANA BLVD 1119	Map
 260100110207	 CLUB SUNTERRA VACATIONS HAWAII TR	1775 ALA MOANA BLVD 1120	Map
 260100110208	 CLUB SUNTERRA VACATIONS HAWAII TR	1775 ALA MOANA BLVD 1121	Map
 260100110209	 CLUB SUNTERRA VACATIONS HAWAII TR	1775 ALA MOANA BLVD 1122	Map
 260100110210	 CLUB SUNTERRA VACATIONS HAWAII TR	1775 ALA MOANA BLVD 1123	Map
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 260100110212	 CLUB SUNTERRA VACATIONS HAWAII TR	1775 ALA MOANA BLVD 1125	Map
 260100110213	 CLUB SUNTERRA VACATIONS HAWAII TR	1775 ALA MOANA BLVD 1126	Map
 260100110214	 CLUB SUNTERRA VACATIONS HAWAII TR	1775 ALA MOANA BLVD 1127	Map
 260100110215	 CLUB SUNTERRA VACATIONS HAWAII TR	1775 ALA MOANA BLVD 1128	Map
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 260100110235	 DIAMOND RESORTS WAIKIKI DEVELOPMENT LLC	1775 ALA MOANA BLVD 1223	Map
 260100110236	 CLUB SUNTERRA VACATIONS HAWAII TR	1775 ALA MOANA BLVD 1227	Map
 260100110237	 DIAMOND RESORTS WAIKIKI DEVELOPMENT LLC	1775 ALA MOANA BLVD 1228	Map
 260100110238	 CLUB SUNTERRA VACATIONS HAWAII TR	1775 ALA MOANA BLVD 1229	Map
 260100110239	 DIAMOND RESORTS WAIKIKI DEVELOPMENT LLC	1775 ALA MOANA BLVD 1230	Map
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 260100110241	 DIAMOND RESORTS WAIKIKI DEVELOPMENT LLC	1775 ALA MOANA BLVD 1232	Map
 260100110242	 DIAMOND RESORTS WAIKIKI DEVELOPMENT LLC	1775 ALA MOANA BLVD 1233	Map
 260100110243	 DIAMOND RESORTS WAIKIKI DEVELOPMENT LLC	1775 ALA MOANA BLVD 1234	Map
 260100110244	 DIAMOND RESORTS WAIKIKI DEVELOPMENT LLC	1775 ALA MOANA BLVD 1235	Map
 260100110245	 DIAMOND RESORTS WAIKIKI DEVELOPMENT LLC	1775 ALA MOANA BLVD 1236	Map
 260100110246	 DIAMOND RESORTS WAIKIKI DEVELOPMENT LLC	1775 ALA MOANA BLVD 1412	Map
 260100110247	 DIAMOND RESORTS WAIKIKI DEVELOPMENT LLC	1775 ALA MOANA BLVD 1414	Map
 260100110248	 DIAMOND RESORTS WAIKIKI DEVELOPMENT LLC	1775 ALA MOANA BLVD 1415	Map
 260100110249	 DIAMOND RESORTS WAIKIKI DEVELOPMENT LLC	1775 ALA MOANA BLVD 1416	Map
 260100110250	 DIAMOND RESORTS WAIKIKI DEVELOPMENT LLC	1775 ALA MOANA BLVD 1417	Map
 260100110251	 DIAMOND RESORTS WAIKIKI DEVELOPMENT LLC	1775 ALA MOANA BLVD 1418	Map
 260100110252	 DIAMOND RESORTS WAIKIKI DEVELOPMENT LLC	1775 ALA MOANA BLVD 1420	Map
 260100110253	 DIAMOND RESORTS WAIKIKI DEVELOPMENT LLC	1775 ALA MOANA BLVD 1421	Map
 260100110254	 DIAMOND RESORTS WAIKIKI DEVELOPMENT LLC	1775 ALA MOANA BLVD 1422	Map
 260100110255	 DIAMOND RESORTS WAIKIKI DEVELOPMENT LLC		

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	260100110258	 DIAMOND RESORTS WAIKIKI DEVELOPMENT LLC	1775 ALA MOANA BLVD 1428	Map
	260100110259	 DIAMOND RESORTS WAIKIKI DEVELOPMENT LLC	1775 ALA MOANA BLVD 1429	Map
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	260100110268	 DIAMOND RESORTS WAIKIKI DEVELOPMENT LLC	1775 ALA MOANA BLVD 1516	Map
	260100110269	 DIAMOND RESORTS WAIKIKI DEVELOPMENT LLC	1775 ALA MOANA BLVD 1518	Map
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	260100110278	 DIAMOND RESORTS WAIKIKI DEVELOPMENT LLC	1775 ALA MOANA BLVD 1618	Map
	260100110279	 DIAMOND RESORTS WAIKIKI DEVELOPMENT LLC	1775 ALA MOANA BLVD 1623	Map
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	260100110284	 DIAMOND RESORTS WAIKIKI DEVELOPMENT LLC	1775 ALA MOANA BLVD 1636	Map
	260100110285	 DIAMOND RESORTS WAIKIKI DEVELOPMENT LLC	1775 ALA MOANA BLVD 1710	Map
	260100110286	 DIAMOND RESORTS WAIKIKI DEVELOPMENT LLC	1775 ALA MOANA BLVD 1716	Map
	260100110287	 DIAMOND RESORTS WAIKIKI DEVELOPMENT LLC	1775 ALA MOANA BLVD 1722	Map
	260100110288	 DIAMOND RESORTS WAIKIKI DEVELOPMENT LLC	1775 ALA MOANA BLVD 1723	Map
	260100110289	 DIAMOND RESORTS WAIKIKI DEVELOPMENT LLC	1775 ALA MOANA BLVD 1725	Map
	260100110290	 DIAMOND RESORTS WAIKIKI DEVELOPMENT LLC	1775 ALA MOANA BLVD 1726	Map
	260100110291	 DIAMOND RESORTS WAIKIKI DEVELOPMENT LLC	1775 ALA MOANA BLVD 1735	Map
	260100110292	 DIAMOND RESORTS WAIKIKI DEVELOPMENT LLC	1775 ALA MOANA BLVD 1736	Map
	260100110293	 DIAMOND RESORTS WAIKIKI DEVELOPMENT LLC	1775 ALA MOANA BLVD CU1	Map
	260100110294	 DIAMOND RESORTS WAIKIKI DEVELOPMENT LLC	1775 ALA MOANA BLVD CU2	Map
	260100110295	 DIAMOND RESORTS WAIKIKI DEVELOPMENT LLC	1775 ALA MOANA BLVD CU2A	Map
	260100110296	 DIAMOND RESORTS WAIKIKI DEVELOPMENT LLC	1775 ALA MOANA BLVD CU3	Map
	260100110297	 DIAMOND RESORTS WAIKIKI DEVELOPMENT LLC	1775 ALA MOANA BLVD CU4	Map
	260100110298	 DIAMOND RESORTS WAIKIKI DEVELOPMENT LLC	1775 ALA MOANA BLVD CU5	Map
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	260100110300	 DIAMOND RESORTS WAIKIKI DEVELOPMENT LLC	1775 ALA MOANA BLVD CU7	Map
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	260100110303	 DIAMOND RESORTS WAIKIKI DEVELOPMENT LLC	1775 ALA MOANA BLVD CU9B	Map
	260100110304	 DIAMOND RESORTS WAIKIKI DEVELOPMENT LLC	1775 ALA MOANA BLVD CU10	Map
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	260100110306	 DIAMOND RESORTS WAIKIKI DEVELOPMENT LLC	1775 ALA MOANA BLVD CU12	Map
	260100110307	 DIAMOND RESORTS WAIKIKI DEVELOPMENT LLC	1775 ALA MOANA BLVD CU13	Map
	260100110308	 DIAMOND RESORTS WAIKIKI DEVELOPMENT LLC	1775 ALA MOANA BLVD CU14	Map
	260100110309	 DIAMOND RESORTS WAIKIKI DEVELOPMENT LLC	1775 ALA MOANA BLVD CU15	Map
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	260100110311	 DIAMOND RESORTS WAIKIKI DEVELOPMENT LLC	1775 ALA MOANA BLVD CU17	Map
	260100110312	 DIAMOND RESORTS WAIKIKI DEVELOPMENT LLC	1775 ALA MOANA BLVD CU18	Map
	260100110313	 DIAMOND RESORTS WAIKIKI DEVELOPMENT LLC	1775 ALA MOANA BLVD CU19	Map
	260100110314	 DIAMOND RESORTS WAIKIKI DEVELOPMENT LLC	1775 ALA MOANA BLVD CU20	Map
	260100110315	 DIAMOND RESORTS WAIKIKI DEVELOPMENT LLC	1775 ALA MOANA BLVD CUHK3	Map
	260100110316	 DIAMOND RESORTS WAIKIKI DEVELOPMENT LLC	1775 ALA MOANA BLVD CUHK4	Map
	260100110317	 DIAMOND RESORTS WAIKIKI DEVELOPMENT LLC	1775 ALA MOANA BLVD CUHK5	Map
	260100110318	 DIAMOND RESORTS WAIKIKI DEVELOPMENT LLC	1775 ALA MOANA BLVD CUHK6	Map
	260100110319	 DIAMOND RESORTS WAIKIKI DEVELOPMENT LLC	1775 ALA MOANA BLVD CUHK7	Map
	260100110320	 DIAMOND RESORTS WAIKIKI DEVELOPMENT LLC	1775 ALA MOANA BLVD CUHK8	Map

 260100110321	 DIAMOND RESORTS WAIKIKI DEVELOPMENT LLC	1775 ALA MOANA BLVD CUHK9	Map
 260100110322	 DIAMOND RESORTS WAIKIKI DEVELOPMENT LLC	1775 ALA MOANA BLVD CUHK10	Map
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 260100110326	 DIAMOND RESORTS WAIKIKI DEVELOPMENT LLC	1775 ALA MOANA BLVD CUHK15	Map
 260100110327	 DIAMOND RESORTS WAIKIKI DEVELOPMENT LLC	1775 ALA MOANA BLVD CUHK16	Map
 260100110328	 DIAMOND RESORTS WAIKIKI DEVELOPMENT LLC	1775 ALA MOANA BLVD CUHK17	Map

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LICENSING INVESTIGATIVE REPORT

DATE: March 15, 2021

SUBJECT: New Liquor License Application No. 19-16461 from Pesca Waikiki Beach Inc. dba Pesca Waikiki Beach Inc., Restaurant General (Category 2: Music/ Dancing) license, at the former location of Tri-Star Restaurant Group III, LLC dba Sarento's Top of the I, located at 1777 Ala Moana Boulevard Sky Room 30A/30B, Honolulu

NOTIFICATION OF AUTHORIZED AGENT:

In form LIQ-LIC-106, Notification of Authorized Agent, dated June 10, 2020 and received by the commission June 15, 2020, Pesca Waikiki Beach Inc., authorizes Neal Gota to represent them in all liquor related matters.

CORPORATE STRUCTURE:

Pesca Waikiki Beach Inc.: was incorporated under the laws of the State of Hawaii on October 14, 2019, the corporation is authorized to issue 1,000,000 shares, of which 500,000 are currently outstanding and issued.

The Officers, Directors, and Stock holders:

		<u>Shares</u>	<u>Percent</u>
Masanori Watanabe	D		0%
Takashi Yoshida	VP/S/D		0%
Wolfgang Zwiener	D		0%
Peter Zwiener	P/VP/D		0%
Tamahime USA, Inc.	SH	250,000	50%
Fish Mundo Corp.	SH	250,000	50%
	Total	500,000	100%

Tamahime USA, Inc.: was incorporated under the laws of the State of Hawaii on August 8, 2018. The Officers, Directors, and Stock holders are:

		<u>Percent</u>
Masanori Watanabe	P/D	0%
Takashi Yoshida	S/D	0%
Minetake Kato	VP/D	0%

CORPORATE STRUCTURE-CONTINUED:

Tamahime USA, Inc. continued:

		<u>Percent</u>
Itsuki Saito	T/D	0%
Yukifumi Yasada	T/D	0%
Masatake Kanda	D	0%
Bellco Inc.	SH	14.29%
Memoire Inc.	SH	14.29%
VIP CO., Ltd.	SH	14.29%
Suncelmo Co., Ltd.	SH	14.29%
Keihangojocenter Co., Ltd.	SH	14.29%
Memolead Co., Ltd.	SH	7.15%
Memolead Co., Ltd. (Nagasaki)	SH	7.15%
AlphaClub Musashino Co., Ltd.	SH	4.71%
Alphaclub Co., Ltd. (Toguchi)	SH	4.85%
Alphaclub Co., Ltd. (Fukushima)	SH	4.71%
Total		100%

Fish Mundo Corp.: was incorporated under the laws of the State of Delaware on October 9, 2019. The sole Officers, Directors, and Stock Holders is:

		<u>Percent</u>
Peter Zwiener	P/S/T/D/SH	100%
Total		100%

For further details of the principals, see **Exhibits A** for biographical information. CJIS Computer System checks are negative for felony convictions. FBI checks for Peter Zwiener are pending.

FINGERPRINTS:

Masanori Watanabe was fingerprinted on April 17, 2019, and Takashi Yoshida was fingerprinted on February 19, 2019. Results were negative for felony convictions.

Wolfgang Zwiener was fingerprinted on November 5, 2020. Results were negative for felony convictions.

Peter Zwiener will make an appointments with "Fieldprint Fingerprinting Services" for fingerprinting on a later date.

FINANCIAL STATEMENT OF PESCA WAIKIKI BEACH INC. AS OF
MARCH 31, 2020:

Applicant submitted a Financial Statement to the Commission and certified by the applicant to be substantially correct as of March 31, 2020.

STAND-ALONE TEMPORARY APPLICATION FILED:

The applicant filed for a Stand-Alone Temporary Liquor License, Application 19-16643 on May 8, 2019. The application was amended and received by The Commission on June 15, 2020.

COST AND FINANCING:

The applicant has stated that the initial start-up costs and build out will cost approximately \$3.6 million dollars. The applicant has secured a line of credit to cover the start-up and build out costs.

TRADE NAME:

The applicant has filed a State of Hawaii Department of Commerce and Consumer Affairs Certificate of Registration of Trade Name. The name "Pesca Waikiki Beach" is registered to the applicant July 14, 2017 to July 13, 2022.

DESCRIPTION OF THE PROPOSED LICENSED PREMISES:

Location: The proposed premises is located 1777 Ala Moana Boulevard Sky Room 30A/30B, Honolulu (Illikai)

- Approximately 10,468 total square footage – 2 Floors
- Designated Kitchen
- Main Dining Room
- Private Dining Room
- Chapel
- 2 x Wine Cellar
- 2 x Stand-Alone Bars
- VIP Private Bar (lower floor)
- Wedding Salon
- 3x Fitting Rooms
- Restrooms located inside the premises
- 2x Walk-In Refrigerator
- Designated Dance Floor

See **Exhibit B** for floor plan.

Parking: Parking stalls available in the parking structure.

CHURCH, SCHOOL, OR PUBLIC PLAYGROUND WITHIN 500 FEET:

None

SAME CLASS OF LICENSE WITHIN 500 FEET:

I Square Heaven LLC
dba Bombay Palace Restaurant (R1066)
1778 Ala Moana Blvd., Suite 213, Honolulu
Approximately 310 ft from the proposed premises

Blazin Wings, Inc.
dba Buffalo Wild Wings (R0892)
1778 Ala Moana Blvd., Suite UL-10, Honolulu
Approximately 320 ft from the proposed premises

Zetton, Inc.
dba Goofy Café and Dine (R0942)
1831 Ala Moana Blvd., #201, Honolulu
Approximately 300 ft from the proposed premises

Outback Steakhouse of Florida, LLC
dba Outback Steakhouse (R0427)
1765 Ala Moana Blvd., Honolulu
Approximately 450 ft from the proposed premises

Red Lobster Hospitality LLC
dba Red Lobster (R0248)
1765 Ala Moana Blvd., Honolulu
Approximately 475 ft from the proposed premises

Cabell Enterprises, Inc.
dba The Chart House (R0339)
1765 Ala Moana Blvd., Honolulu
Approximately 460 ft from the proposed premises

Waikiki Snappers Inc.
dba Tropics Ale House Waikiki (R1321)
1778 Ala Moana Blvd., # LL12/LL13, Honolulu
Approximately 350 ft from the proposed premises

Waikiki Gangnam Style Inc.
dba Waikiki Gangnam Style Waikiki Inc. (R1044)
1830 Ala Moana Blvd., Honolulu
Approximately 490 ft from the proposed premises

CURRENT NUMBER OF SAME CLASS ISSUED WITHIN THE CITY AND COUNTY OF HONOLULU:

As of March 15, 2021, there is 544 Restaurant licenses issued within the City and County of Honolulu, of which 505 are of the General Kind.

OTHER MATTERS PERTAINING TO THE APPLICATION WHICH MAY AFFECT ISSUANCE OF THE LICENSE:

Kind of business:

- Restaurant – Fine Dining, Private Dining Restaurant
Wedding and Special Event Service
- Estimated 120 employees / 10- registered Manager
- Hours of Operation: 9:00am to 2:00am – Everyday

Lease: According to a document titled, “Assignment and Assumption of Lease” made on February 28, 2020, by and between Tamahime USA, Inc. (assignor) and Pesca Waikiki Beach Inc., (assignee). Assignor assigns, transfers, set over and deliver unto assignee all of the leasehold interest created in the Commercial Center lease, dated March 7, 2019, executed by SFI Ilikai LL Inc. (prior Landlord).

According to a document titled, “Second Amendment of Lease and Reaffirmation of Guaranty,” dated as of February 28, 2020, by SFI Ilikai Retail Owner LLC, as (landlord) and Pesca Beach Waikiki Inc. (Tenant), wish to amend the Commercial lease made and dated March 7, 2019, by SFI Ilikai LLC “Landlord” and between Tamahime USA, Inc., “Tenant.” Pesca Waikiki Beach Inc., term of the lease will commence on March 7, 2019. Pesca Waikiki Beach Inc., rent commencement date is March 1, 2020.

Landlord Consent: According to the Commercial Lease, SFI Ilikai LL Inc. (Landlord), allows for the selling and consumption of liquor on the premises.

Business Plan: The applicant has submitted a business plan in connection to this application.

See **Exhibit C** for business plan.

NOISE IMPACT EVALUATION:

A Noise Impact Evaluation was conducted on March 15, 2021. The potential of the premises to adequately contain noise is rated as Fair.

See **Exhibit D** for further details.

OTHER LIQUOR LICENSED INTERESTS:

Peter Zweiner and Wolfgang Zwiener are members of Lupo Waikiki, LLC dba Il Lupino (R0936) from 12/22/20 and 07/07/2011 respectively.

HISTORY OF VIOLATION FOR OTHER LIQUOR LICENSED INTEREST DURING THE PERIOD OWNER OR OPERATED BY THE PRINCIPALS:

Lupo Waikiki, LLC dba Il Lupino (R936):

11/15/2011	3-82-38.8	Employee List	Fined
11/15/2012	3-82-38.8	Employee List	Fined
06/13/2020	3-82-38.8.5(a)	Registration of Employees	Fined
10/31/2020	281-38	Conditions of License	Fined
11/14/2020	3-82-38.8.5(e)	Registration of Employees	Fined

ZONING CLEARANCE:

An approved Department of Planning and Permitting zoning clearance dated April 17, 2019 has been received.

HAWAII REVISED STATUTES SECTION 281-56(a) (9) STATEMENT:

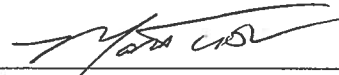
As of March 15, 2021, there are no known potential adverse effects on the surrounding community specific to the premises. All potential adverse effects reported to staff before the Public Hearing will be forwarded to the Commission for its consideration.

NEIGHBORHOOD BOARD NOTIFICATION:

The applicant shall directly notify the chair of the neighborhood board in which the applicant's place of business is located, in writing and delivered by certified mail, return receipt requested. The return receipt from the certified mailing shall be submitted to the Liquor Commission before a liquor license is issued.

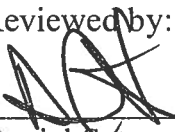
OPINION:

In my opinion, the applicant has complied with the minimum requirements of filing this application.



Matthew Foster
Licensing Investigator

Reviewed by:



Daniel Sato
Supervising Investigator

wh

1/2/2011

RECEIVED
LIQUOR COMMISSION
C&C OF HONOLULU

LIQUOR COMMISSION

CITY AND COUNTY OF HONOLULU

711 KAPIOLANI BOULEVARD, SUITE 600, HONOLULU, HAWAII 96813-5249

PHONE (808) 768-7300 • FAX (808) 768-7311

INTERNET ADDRESS: www.honolulu.gov/liq

2010 APR 17 P 2:27

PERSONAL HISTORY AND AFFIDAVIT

Rule 3-83-53.1

NAME Watanabe Masanori SOCIAL SECURITY NO. NA
Last First Middle Maiden
HOME ADDRESS _____ APT. NO. _____ TELEPHONE NOS.: _____
CITY _____ STATE _____ ZIP CODE _____ BUS. (+81) 045-261-9006
PLACE OF BIRTH _____ DATE OF BIRTH _____ AGE _____ MARITAL STATUS Married
(City, State) (MM / DD / YYYY)
NO. OF YEARS COMPLETED IN HIGH SCHOOL 3 YEAR COMPLETED 1983 NAME OF SCHOOL Torei Gakuen Fujisawa Senior High School, Fujisawa, Kanagawa
(include City and State)
NO. OF YEARS COMPLETED IN COLLEGE 4 YEAR COMPLETED 1987 NAME OF COLLEGE Tokai University, Hiratsuka, Kanagawa
(include City and State)
OTHER EDUCATION _____

CITIZENSHIP* Japan (Foreigner) DATE ARRIVED IN HAWAII (if applicable)
*(If not a U.S. citizen, indicate type of Visa, or Resident Alien Card No., or Immigration Department No.)

EMPLOYMENT RECORD (from the time school was completed to present):

FROM MONTH/YEAR	TO MONTH/YEAR	POSITION	EMPLOYER	LOCATION
04/1987	03/1992	Associate	Alpha Club Musashino Co., Ltd., a JPN corporation	Saitama, Japan
04/1992	03/2006	Associate	Memoire Co., Ltd., a JPN corporation	Kanagawa, Japan
04/2006	Present	Representative Director	Ars Co., Ltd., a JPN corporation	Yamanashi, Japan
04/2008	Present	Representative Director	East Japan Ceremony Co., Ltd., a JPN corporation	Shizuoka, Japan
04/2008	Present	Representative Director	Yokohama Tenrei Co., Ltd., a JPN corporation	Kanagawa, Japan
02/2011	Present	Representative Director	Memoire Co., Ltd., a JPN corporation	Kanagawa, Japan
02/2011	Present	Representative Director	Seremo Japan Co., Ltd., a JPN corporation	Kanagawa, Japan
02/2011	Present	Representative Director	YMS Corporation Co., Ltd., a JPN corporation	Kanagawa, Japan

(If additional space is needed, please use reverse side)



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List your experience in the liquor industry: _____

I have served in a directorial position in the wedding, funeral, and general events business for over ten years.

During this time, I have engaged with the company's alcohol distribution channel partners to ensure the best quality of alcohol to be served.

Will you devote time to manage the subject business? ☐ Yes

☒ No

If answer is "YES", will it be ☐ Full time, or ☐ Part-time?

I, Masanori Watanabe

, of _____

(Full Street Address, City, State, Zip)

being first duly sworn, deposes, and says, that the above information is true and correct and that I ☐ have ☒ have not) been convicted of any felony charge.

Masanori Watanabe

Signature



Masakazu Kobayashi

FOR NOTARY USE ONLY



STATE OF HAWAII
City and County of Honolulu

} SS.

On this _____ day of _____, in the year of _____, personally appeared _____ who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to within the foregoing instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the aforementioned instrument the person, or the entity upon behalf of which the person(s) acted, executed the aforementioned instrument in free act and deed.

<p>Signature of applicant(s) before Notary</p> <p>Subscribed and sworn to before me this _____ day of _____, 20____</p> <p>Signature of Notary</p> <p>Print Name _____ Notary Public, State of Hawaii</p> <p>My commission expires _____</p> <p>(Place Notary Stamp or Seal here)</p>	<p>NOTARY CERTIFICATION</p> <p>Date of Doc: _____ # of Pages: _____</p> <p>Notary Name: _____ Circuit _____</p> <p>Doc. Description: _____</p> <p>Notary Signature _____ Date _____</p> <p>(Place Notary Stamp or Seal here)</p>
---	--

RECEIVED
LIQUOR COMMISSION
C&C OF HONOLULU

Rule 3-83-53.1

EMPLOYMENT RECORD (from the time school was completed to present):

[illegible]

NOTARY INITIAL: _____

List your experience in the liquor industry: _____

I have served in directorial and managerial capacities in the wedding and event planning industries for over twenty years. Throughout my career, I have worked and negotiated with alcohol distributors, managed alcohol deliveries, served alcohol beverages at the company's wedding and event venues. All correspondence between liquor distributors were fairly negotiated, and the liquor was handled with utmost care in accordance with local and national regulations.

Will you devote time to manage the subject business? ☒ Yes ☐ No

If answer is "YES", will it be ☒ Full time, or ☐ Part-time?

I, Takashi Yoshida, of _____

(Full Street Address, City, State, Zip)

being first duly sworn, deposes, and says, that the above information is true and correct and that I ☐ have ☒ have not) been convicted of any felony charge.

Takashi Yoshida
Signature

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LIQUOR COMMISSION
C&C OF HONOLULU

2019 APR 17 P 2:28



FOR NOTARY USE ONLY

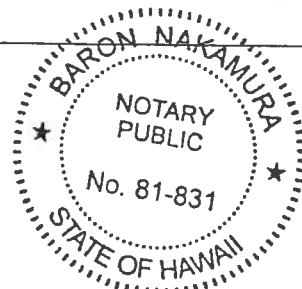
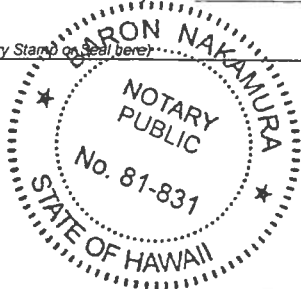
STATE OF HAWAII
City and County of Honolulu

} SS.

On this 19th day of February, in the year of 2019, personally appeared Takashi Yoshida who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to within the foregoing instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the aforementioned instrument the person, or the entity upon behalf of which the person(s) acted, executed the aforementioned instrument in free act and deed.

KTY

<u>Takashi Yoshida</u> Signature of applicant(s) before Notary		NOTARY CERTIFICATION	
Subscribed and sworn to before me this:		Date of Doc: <u>Undated</u>	# of Pages: <u>1</u>
<u>19th</u> day of <u>February</u> , 20 <u>19</u>		Notary Name: <u>Baron Nakamura</u>	Circuit
<u>Baron Nakamura</u> Signature of Notary		Doc. Description: <u>Personal History and Affidavit</u>	
Print Name: <u>Baron Nakamura</u>		<u>Baron Nakamura</u> Notary Signature	<u>2-19-2019</u> Date
Notary Public, State of Hawaii		(Place Notary Stamp or Seal here)	
My commission expires <u>3-13-2020</u>			
(Place Notary Stamp or Seal here)			



LIQUOR COMMISSION
CITY AND COUNTY OF HONOLULU
711 KAPIOLANI BOULEVARD, SUITE 600, HONOLULU, HAWAII 96813-5249
PHONE (808) 768-7300 • FAX (808) 768-7311
INTERNET ADDRESS: www.honolulu.gov/liq

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C&C OF HONOLULU

2020 JUN 15 P 3:35

PERSONAL HISTORY AND AFFIDAVIT

Rule 3-83-53.1

NAME ZWIENER WOLFGANG FRITZ N/A SOCIAL SECURITY NO. _____
Last, First Middle Maiden
HOME ADDRESS 1 _____ APT. NO. _____ TELEPHONE NOS.: _____
CITY _____ STATE _____ ZIP CODE _____ BUS. () _____
PLACE OF BIRTH _____ DATE OF BIRTH _____ AGE _____ MARITAL STATUS _____
(City, State) (MM / DD / YYYY)
NO. OF YEARS COMPLETED IN HIGH SCHOOL 4 YEAR COMPLETED 1956 NAME OF SCHOOL BREMEN HIGH SCHOOL
(include City and State)
NO. OF YEARS COMPLETED IN COLLEGE 3 YEAR COMPLETED 1959 NAME OF COLLEGE BREMEN SCHOOL OF HOSPITALITY MANAGEMENT
(include City and State)
OTHER EDUCATION N/A

CITIZENSHIP* USA DATE ARRIVED IN HAWAII (if applicable) 2013
*(If not a U.S. citizen, indicate type of Visa, or Resident Alien Card No., or Immigration Department No.)

EMPLOYMENT RECORD (from the time school was completed to present):

FROM MONTH/YEAR	TO MONTH/YEAR	POSITION	EMPLOYER	LOCATION
1959	1960	WAITER	FOUR SEASONS HOTEL	BREMEN, GERMANY
1960	1961	MECHANIC	EMPIRE ELEVATORS	NEW YORK, NY
1961	1963	WAITER	HILTON HOTEL	NEW YORK, NY
1963	2003	HEADWAITER	PETER LUGER STEAKHOUSE	BROOKLYN, NY
2004	PRESENT	OWNER	WOLFGANG'S STEAKHOUSE	NEW YORK

(If additional space is needed, please use reverse side)

NOTARY INITIAL: _____

List your experience in the liquor industry: 61 years experience in the restaurant industry

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2020 JUN 15 P 3 36

Will you devote time to manage the subject business? ☒ Yes ☐ No

If answer is "YES", will it be ☒ Full time, or ☐ Part-time?

I, WOLFGANG FRITZ ZWIENER,

(Full Street Address, City, State, Zip)

being first duly sworn, deposes, and says, that the above information is true and correct and that I ☐ have ☒ have not been convicted of any felony charge.

Signature



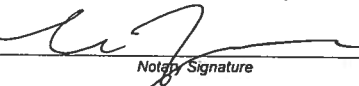


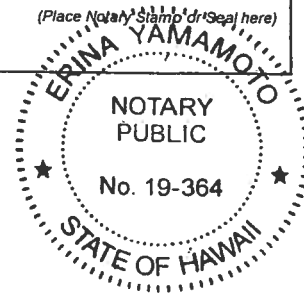
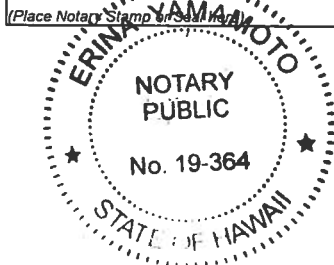
FOR NOTARY USE ONLY

STATE OF HAWAII
City and County of Honolulu

} SS.

On this 10th day of June, in the year of 2020, personally appeared Wolfgang Zwiener who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to within the foregoing instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the aforementioned instrument the person, or the entity upon behalf of which the person(s) acted, executed the aforementioned instrument in free act and deed.

 Signature of applicant(s) before Notary		NOTARY CERTIFICATION	
Subscribed and sworn to before me this:		Date of Doc: <u>June 10, 2020</u>	# of Pages: <u>2</u>
<u>10th</u> day of <u>June</u> , 20 <u>20</u>		Notary Name: <u>Erina Yamamoto</u>	<u>1st</u> Circuit
 Signature of Notary		Doc. Description: <u>Personal History and Affidavit</u>	
Print Name: <u>Erina Yamamoto</u>		 Notary Signature	<u>June 10, 2020</u> Date
Notary Public, State of Hawaii		(Place Notary Stamp or Seal here)	
My commission expires <u>August 25, 2023</u>			



711 KAPIOLANI BOULEVARD, SUITE 600, HONOLULU, HAWAII 96813-5249
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Rule 3-83-53.1

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2023 DEC 31 P 2:00

EMPLOYMENT RECORD (from the time school was completed to present):

[illegible]

NOTARY INITIAL: _____

List your experience in the liquor industry: Restaurant owner of 25 restaurants globally, 11 domestically - 6 in New York, 1 in New Jersey, 1 in Florida, 1 in California, and 2 in Hawaii

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CITY OF HONOLULU

OCT 21 P 2:00

Will you devote time to manage the subject business? ☒ Yes ☐ No

If answer is "YES", will it be ☐ Full time, or ☒ Part-time?

I, PETER FRITZ ZWIENER, of _____

(Full Street Address, City, State, Zip)

being first duly sworn, deposes, and says, that the above information is true and correct and that I ☐ have ☒ have not) been convicted of any felony charge.

Signature

PASSPORT-TYPE PHOTOGRAPH
REQUIRED -- NO SNAPSHOTS OR
PHOTOCOPIES WILL BE ACCEPTED.
AFFIX 2" X 2" PHOTOGRAPH HERE.

FOR NOTARY USE ONLY

STATE OF HAWAII

City and County of Honolulu

SS.

JAPAN

CITY OF TOKYO

EMBASSY OF THE UNITED STATES OF AMERICA

SS:

Peter Fritz Zwiener

On this OCT 26 2020 day of _____, in the year of _____, personally appeared _____ who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to within the foregoing instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the aforementioned instrument the person, or the entity upon behalf of which the person(s) acted, executed the aforementioned instrument in free act and deed.

Signature of applicant(s) before Notary

Subscribed and sworn to before me this:

day of OCT 26 2020, 20

Print Name:

Notary Public, State of Hawaii

Island C. Perkins
General Associate

My commission expires _____

NOTARY CERTIFICATION

Date of Doc: _____ # of Pages: _____

Notary Name: _____ Circuit _____

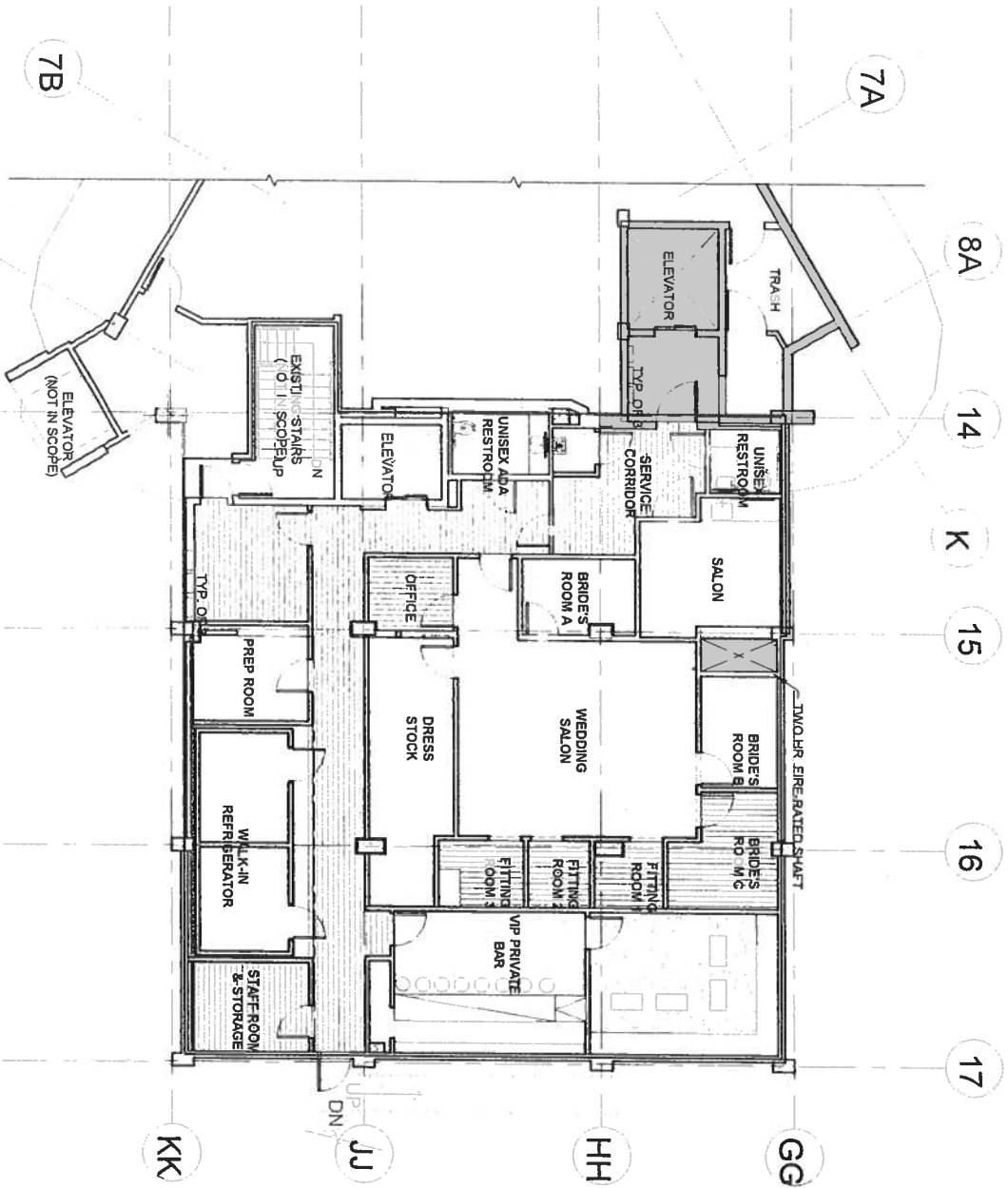
Doc. Description: _____

Notary Signature

Date

(Place Notary Stamp or Seal here)

(Place Notary Stamp or Seal here)



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C&C OF HONOLULU
2020 JUN 15 P 3:42

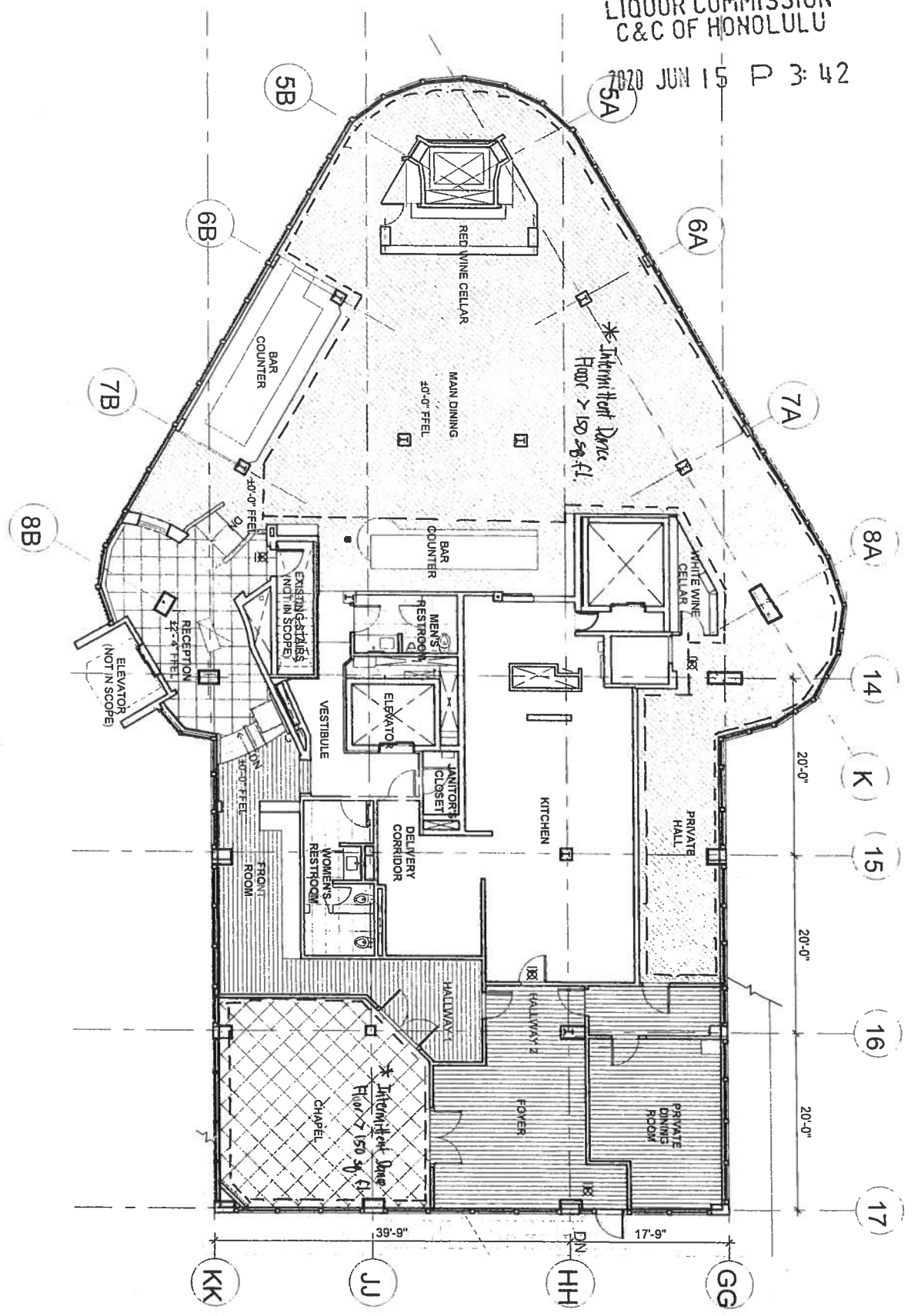
ILIKAI WEDDING HALL AND RESTAURANT - NEW CONSTRUCTION PERMIT SET
LQ-02 - NEW FLOOR PLAN - LEVEL 29

6/12/2020
3/32" = 1'-0"
19008.00

WRNS STUDIO
677 ALA MOANA BLVD #307
HONOLULU, HI 96813

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LIQUOR COMMISSION
C&C OF HONOLULU

2020 JUN 15 P 3:42



LIKAI WEDDING HALL AND RESTAURANT - NEW CONSTRUCTION PERMIT SET
LQ-03 - NEW FLOOR PLAN - LEVEL 30

6/12/2020
3/32" = 1'-0"
19008.00

WRNS STUDIO
677 ALA MOANA BLVD #307
HONOLULU HI 96813

EXHIBIT B

Business Plan

CONCEPT:

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C&C OF HONOLULU
2020 JUN 13 PM 5:42

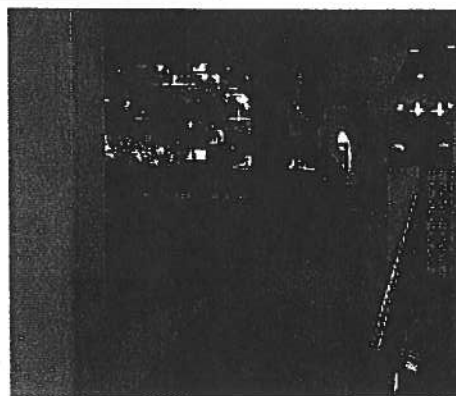
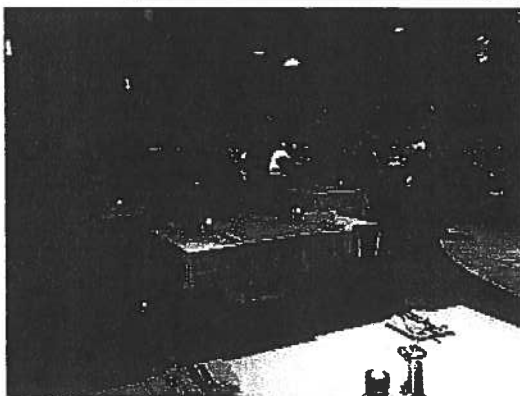
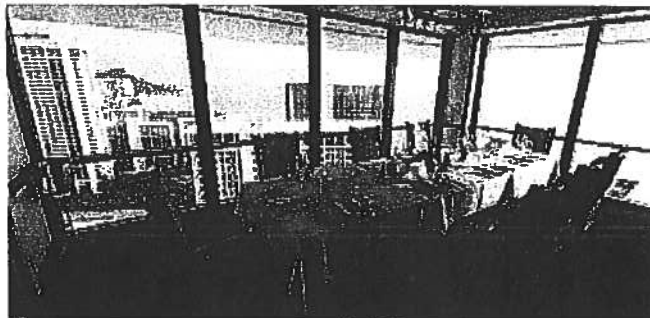
After completing a thorough renovation of the 29th and 30th floors of the Hiale Hotel, Pesca Waikiki Beach Inc., a Hawaii corporation, doing business as Pesca Waikiki Beach Inc., plans to offer guests a unique environment catering to the highest standards of fine dining and private dining along with wedding and special event services. Floor to ceiling windows showcase the 360 degree views of Diamond Head, Waikiki Beach and Honolulu skyline.

The restaurant and wedding venue will offer a combination of seafood and steak themed dishes capitalizing on Wolfgang's Steakhouse's longstading reputation as a premier steakhouse. The outstanding view coupled with Hawaiian hospitality and live music generate an ambiance that makes this fine dining establishment one of Hawaii's most spectacular dining and wedding venues.

A beautiful bar and lounge will also be part of this 13,000 square foot high-rise restaurant space. While sipping fine wine and cocktails crafted by an in-house Master Sommelier, guests can enjoy the sounds of local musicians and enjoy the majestic mauka to makai views.

SALES

As a full-service restaurant and bar the projected food sales will account for 60 percent of gross sales, thus meeting the 30 percent requirement needed to obtain a restaurant liquor license.



NOISE IMPACT EVALUATION

PREMISES: Pesca Walkiki Beach, Inc. LIC. NO. _____

ADDRESS: 1777 Ala Moana Blvd Ste Room 30A/30B

DATE: 3/15/21 W/IN 500 FT. W/IN 100 FT.

TOTAL NO. OF OWNERS/LESSEES OF RECORD _____

TOTAL NO. OF CONDOMINIUMS _____

TOTAL NO. OF COOPERATIVE APT. OWNERS _____

ZONING DESCRIPTION Resort Mixed Use
(Residential, Commercial, etc.)

STRUCTURAL DESCRIPTION OF LICENSED PREMISES:

WALLS: HOL. TILE ☒ MASONRY ☒ WOOD _____ GLASS ☒

GYPSUM ☒ OTHER _____

APPROXIMATE PERCENTAGE OF WINDOW SPACE 50%

DOUBLE DOORS (inner & outer): YES ☒ NO _____

UNENCLOSED SECTION(S) OF PREMISES (lanai, courtyard, etc.):
None

AIR-CONDITIONED: YES ☒ NO _____

POTENTIAL OF PREMISES TO ADEQUATELY CONTAIN NOISE:

POOR _____ FAIR ☒ GOOD _____

REMARKS:

Fully Enclosed, Top of a High Rise Building

[Signature]
INVESTIGATOR III

{NOTE: EVALUATION IS NOT BASED ON TECHNICAL QUALIFICATIONS OF THE INVESTIGATOR, AND NO CLAIM TO THE CONTRARY IS MADE OR IMPLIED.}

Ship Dock

4-star hotel

ABC Store #56
Convenience store

Red Lobster
Takeout • Delivery

Chart House Waikiki
Takeout

The Modern Honolulu
4.2 ★ (2126)
5-star hotel

The Grove
Restaurant & Bar
Takeout

McDonald's
Takeout • Delivery

1778 Ala Moana Blvd,
Honolulu, HI 96815

Bombay Palace
Takeout

Aqua Palms Waikiki
3.8 ★ (1011)
3-star hotel

Goofy Cafe & Dine
Temporarily closed

Hilton Hawaiian V
Waikiki Beach
4.3 ★
4-sl

Waikiki Starlight Luau
Island cuisine & hula
dancers outdoors

Lappert's Hawaii
Ice Cream • SS

The Grand Islander by
Hilton Grand Vacations
4.5 ★ (897)
4-star hotel

Starbucks
Takeout • Delivery

Tropics Bar & Grill
Temporarily closed

Port Waikiki Cruises

Kahanamoku Beach
Sandy spot for
swimming & surfing

Gilligan's Beach Shack

Public Parking
for Waikiki

Ala Wai Boat Harbor

Ala Wai Small Boat
Harbor Diamond...

Hilton Lagoon

Duke Kahanamoku
Lagoon

Rainbow Tower

Lagoon Tower by Hilton
Grand Vacations Club

Ilikai Hotel &
Luxury Suites
Upscale, harborfront...

Ilikai Marina Condos

Ala Moana Blvd

Kahanamoku Street

Duke's Lagoon Dr

Rainbow Dr

Paao Pl

Fort DeRussy Boardwalk

Google

Map data ©2021 Google 100 ft

PROTEST

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LIQUOR COMMISSION
C&C OF HONOLULU

June 7, 2021

2021 JUN 10 AM 11:01

Benjamin Ballesteros, Jr.
66-040 Hale'iwa Loop
Hale'iwa, HI 96712

Liquor Commission
City & County of Honolulu
711 Kapiolani Blvd. 6th flr.
Honolulu, HI 96813

To Whom It May Concern

RE: Application No. 20-21905 (revised to Category 2)

I am submitting this written testimony in response to having received a notice of a hearing at your office to be held on Thursday, July 15, 2021 on a decision on whether or not to grant approval of a revised application for a Category 2 Liquor License that has been resubmitted by "Teddy's Bigger Burgers" located at 66-111 Kamehameha Hwy., Haleiwa.

The purpose of this testimony is to reiterate and reemphasize my opposition to granting such license as stated in my previous testimony dated April 7, 2021 that was sent to your office.

Additionally, an incident occurred shortly after the submittal of my earlier testimony. One early morning, the sounds of a loud revving motor and squealing of tires, most likely that of a vehicle, could be heard coming from the direction of Kamehameha Hwy. in the area of the business in question. A loud crash was heard and the sounds of the engine and tires continued for some moments afterward. I did not investigate further. The next day, a family member informed me of noticing damages to the fence of a residence in the area. It is a rather straight section of roadway with a 25 MPH speed limit zone. There is no proof of the involvement of alcohol consumption in this incident, though there was definitely irresponsibility and negligence.

Thank you for your time.

Sincerely,


Benjamin Ballesteros, Jr.



Benjamin Ballesteros, Jr.
66-040 Haleiwa Loop
Haleiwa, HI 96712

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C2C OF HONOLULU
2021 JUN 10 AM 11:01

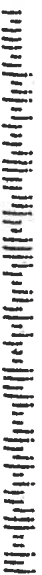
HONOLULU HI 967

8 JUN 2021 PM 1 L



LIQUOR COMMISSION
City & County of Honolulu
711 KAPOLANI BLVD, 4TH FLR
HONOLULU, HI 96813

96813-524950



April 7, 2021

PROTEST

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C&C OF HONOLULU

Benjamin Ballesteros, Jr.
66-040 Hale'iwa Loop
Hale'iwa, HI 96712

2021 APR -9 PM 2:01

Liquor Commission
City & County of Honolulu
711 Kapiolani Blvd. 6th flr.
Honolulu, HI 96813

To Whom It May Concern

RE: Application No. 20-21905

I was born, raised, and have resided my entire life of over 69 years on the north shore of O'ahu. I moved into my current residence on Hale'iwa Loop in 1980 and now am its owner. Teddy's Bigger Burgers is located approximately 300' from my residence.

I am submitting my position in opposition to the granting and approval of a liquor license that is being applied for by "Teddy's Bigger Burger" located at 66-111 Kamehameha Hwy.

As a retired law enforcement officer with 37+ years experience, I have seen up close, and in some cases personal, the affects and results of liquor consumption in much of the incidents I have encountered in my career. In many of those cases, liquor consumption was evident, ranging from a casual drink to outright over-indulgent abuse. The incidents ranged from loud disorderly conduct, to arguments, property crimes, assaults, spouse abuse, traffic accidents involving injury and death, and homicide. I have seen lives ruined and careers lost, including those involving friends and co-workers. While liquor consumption in some of these incidents had little effect, in many others, it was a major contributing factor.

Hale'iwa Joe's and a 7-11 store are also in close proximity to my residence, and both are outlets for liquor consumption. On many occasions, loud yelling, arguments, squealing tires, loud boom-box music, can be seen and heard, sometimes requiring police or first-responder presence. Hale'iwa Joe's was the scene of a multiple homicide a few years ago. The presence of homeless has grown the last few years.

There are enough existing available liquor outlets. Laws that place liability on those outlets for damages and injuries affected by consumption of liquor purchased at those premises do little or nothing to deter irresponsible behavior. Legal action, if any, is a hassle and easily countered by unscrupulous individuals and their attorneys.

A business' never-ending desire for profits speaks loudly, and may drown out this voiced dissenting opinion. Thank you for listening.

Sincerely,


Benjamin Ballesteros, Jr.

LICENSING INVESTIGATIVE REPORT

DATE: February 16, 2021

SUBJECT: New Application No. 20-21905 from TBB Holdings, Inc. dba Teddy's Bigger Burgers, Restaurant, General, Standard Category 1, at the former site of Teddy's Bigger Burgers Monsarrat, LLC dba Teddy's Bigger Burgers, 66-111 Kamehameha Highway, #801, Haleiwa

CORPORATE STRUCTURE:

TBB HOLDINGS, INC.: was incorporated under the laws of State of Hawaii on June 18, 2018, the corporation is authorized to issue 100,000,000 shares of common stock of which 20,000,000 shares have been issued. Its officers, directors and shareholders are:

<u>NAME</u>	<u>TITLE</u>	<u>SHARES</u>	<u>%</u>
RICHARD STULA	P	10,000,000	50%
THEODORE TSAKIRIS	VP	10,000,000	50%
MATTHEW STULA	D	0	0%
TOTAL		20,000,000	100%

See **Exhibit A1 through A3** for biographical background information of principals. CJIS checks were conducted on June 29, 2020, and the results were negative for a felony conviction.

Through a notification letter to the Commission, dated June 19, 2020, and received on June 23, 2020, the applicant authorized agent is Emmanuel Zabakalam to sign all necessary documents regarding the liquor license application.

FINGERPRINTS:

FBI clearance for Richard Stula and Matthew Stula are on file with negative results for any felony convictions. Clearance date was February 20, 2020.

FBI clearance for Theodore Tsakiris is on file with negative results for any felony convictions. Clearance date was July 27, 2018.

FINANCIAL STATEMENT (Balance Sheet) OF TBB HOLDINGS, INC. AS OF MARCH 31, 2020:

Balance sheet of the applicant dated March 31, 2020, was submitted to the Commission on June 23, 2020, and certified by the applicant by the applicant to be substantially correct.

TRADE NAME:

According to the "Application For Registration Of Trade Name" the trade name "Teddy's Bigger Burgers" is registered to the applicant from January 28, 2021, to January 27, 2026.

STAND ALONE TEMPORARY APPLICATION FILED:

The applicant filed for a Stand Alone Temporary License, Application 20-21904 on June 23, 2020.

COST AND FINANCING:

According to the applicant, "No new construction. This transfer was to facilitate the company's new business structure."

DESCRIPTION OF THE PREMISES:

Location: The proposed license premises is irregular shaped located, at the former site of Teddy's Bigger Burgers Monsarrat, LLC dba Teddy's Bigger Burgers, 66-111 Kamehameha Highway, #801, Haleiwa. The overall licensed premises will be approximately 3,110 sq.ft.

Details of premises:

- Dining Area (Indoor)
- Bar
- Kitchen
- Walk-in Cooler / Freezer
- Separate Men's & Women's Bathrooms

- 2 Outdoor Seating areas
 - 36' x 11'
 - 30' x 21'

- Refer to **Exhibit B** for more floor plan details

Storage: The liquor will be stored within the proposed licensed area of the premises.

Parking: Parking is available via shared back parking lot.

CHURCH, SCHOOL, OR PUBLIC PLAYGROUND WITHIN 500 FEET:

Liliuokalani Protestant Church
66-90 Kamahameha Hwy.
Haleiwa, HI 96712
Approx. 313'

SAME CLASS OF LICENSE WITHIN 500 FEET:

Uncle Bo's Haleiwa LLC dba Uncle Bo's Haleiwa LLC (R1120)
66-111 Kamehameha Hwy., Haleiwa, Approx. 400'

CURRENT NUMBER OF SAME CLASS/KIND ISSUED WITHIN THE CITY AND COUNTY OF HONOLULU:

As of January 27, 2021, there are 544 restaurant licenses issued within the City and County of Honolulu, of which 503 are of the restaurant general.

OTHER RELEVANT MATTERS THAT MAY AFFECT THE ISSUANCE OF THE LICENSE:

Kind of business: The applicant proposes to operate as a full service sit down and take-out restaurant similar to other Teddy's Bigger Burgers restaurant in the State of Hawaii and the incidental service of alcoholic beverages, should a liquor license be granted.

Hours of Operation: 10:00 AM – 9:00 PM Daily

There will be approximately 10 - 15 employees and 1 - 2 managers at any time.

Lease: A valid lease is in effect to August 31, 2024. Landlord is Trustee Of The Estate Of Bernice Pauahi Bishop.

PREVIOUSLY APPROVED LIQUOR LICENSE (R1098) FOR THIS LOCATION WAS GRANTED W/CONDITONS:

On October 23, 2014, the commission granted a Restaurant General license (Category No. 2) for this location with the following conditions:

1. Live music shall stop by 9:00 PM
2. All alcohol shall be consumed in the interior of the licensed premises.

BUSINESS PLAN:

Not required, applicant was previously operating as a restaurant at this location.

LIQUOR LICENSED INTERESTS OF APPLICANT:

TBB HOLDINGS, INC. dba TEDDY'S BIGGER BURGERS (R1413)
08/07/2020 – Present

BYO BOWLS LLC dba TEX 808 (R1165)
06/09/2016 – Present

LIQUOR LICENSED INTERESTS OF APPLICANT (continued):

TEDDY'S BIGGER BURGERS MONSARRAT, LLC
dba Teddy's Bigger Burgers (R1098)
02/02/2015 – 06/30/2020 (Not Renewed)

BAJA BETTY'S HOLDINGS, LLC. dba BAJA BETTY'S (R0279)
02/03/1995 – 06/30/2001 (Not Renewed)

HISTORY OF VIOLATIONS:

No major violations found.

HAWAII REVISED STATUTES SECTION 281-56(a) (9) STATEMENT:

As of January 27, 2021, there are no known potential adverse effects on the surrounding community specific to the premises. All potential adverse effects reported to staff before the Public Hearing will be forwarded to the Commission for its consideration.

ZONING CLEARANCE:

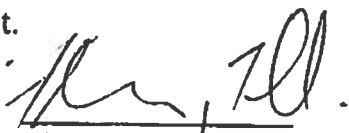
The applicant has submitted a valid Zoning Clearance issued by the City and County of Honolulu Department of Planning and Permitting dated June 25, 2020. Use is permitted.

NEIGHBORHOOD BOARD NOTIFICATION:


The applicant shall directly notify the chair of the neighborhood board in which the applicant's place of business is located, in writing and delivered by certified mail, return receipt requested. At a minimum, the notification shall include the date of public hearing. **The return receipt from the certified mailing shall be submitted to the Liquor Commission before a liquor license is issued.**

OPINION:

Statutory requirements have been met.


Thanh Phung,
Licensing Investigator

Reviewed by:


Daniel Sato,
Supervising Investigator

2/14/20
ah

LIQUOR COMMISSION
CITY AND COUNTY OF HONOLULU
711 KAPIOLANI BOULEVARD, SUITE 600, HONOLULU, HAWAII 96813-5249
PHONE (808) 768-7300 • FAX (808) 768-7311
INTERNET ADDRESS: www.honolulu.gov/liq

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PERSONAL HISTORY AND AFFIDAVIT
Rule 3-83-53.1

JUL 19 1990 P 2:01

NAME Stula Richard Edmund SOCIAL SECURITY NO. _____
Last, First Middle Maiden
HOME ADDRESS _____ APT. NO. _____ TELEPHONE NOS.: _____
CITY _____ STATE _____ ZIP CODE _____ HOME _____
BUS. () _____
PLACE OF BIRTH _____ DATE OF BIRTH _____ AGE _____ MARITAL STATUS Married
(City, State) (MM / DD / YYYY)
NO. OF YEARS COMPLETED IN HIGH SCHOOL 12 YEAR COMPLETED 1986 NAME OF SCHOOL Stanton College Preparatory, Jacksonville, FL
(Include City and State)
NO. OF YEARS COMPLETED IN COLLEGE 4 YEAR COMPLETED 1994 NAME OF COLLEGE Denver Business College
(Include City and State)
OTHER EDUCATION N/A

CITIZENSHIP* USA DATE ARRIVED IN HAWAII (If applicable) Aug 1990
*(If not a U.S. citizen, indicate type of Visa, or Resident Alien Card No., or Immigration Department No.)

EMPLOYMENT RECORD (from the time school was completed to present):

FROM MONTH/YEAR	TO MONTH/YEAR	POSITION	EMPLOYER	LOCATION
July 1986-Aug 1990		Co-Owner	Game Day Distributors	Jacksonville, FL
Aug 1990-Dec 1990		Waiter	US Hawaii Cruises	Honolulu, HI
Jan 1991-June 1991		Waiter	TGI Fridays	Honolulu, HI
June 1991-Sept 1992		Waiter	Oceanarium (Pac Beach Hotel)	Waikiki, HI
Sept 1992-Mar 1995		Waiter	Surf Room (Royal Hawaiian Hotel)	Waikiki, HI
April 1995-Aug 2018		Co-Owner	Teddy's Bigger Burgers	Honolulu, HI
Jan 2000-Jan 2001		Co-Owner	Baja Betty's	Honolulu, HI
Sept 2015-Present		Co-Owner	BYO Bowls, LLC/dba TEX808	Honolulu, HI
Aug 2018-Present		President	TBB Holdings, Inc	Honolulu, HI

(If additional space is needed, please use reverse side.)

NOTARY INITIAL: _____

Any relative in the liquor business? Yes ☒ No ☐
If answer is "YES", complete the following:

Name of Person: _____ Relationship: _____
Name of Business: _____ Address: _____
(Full Street Address, City, State, Zip)

List your experience in liquor business: Owner of BYO Bowls/dba TEX808; President TBB Holdings (Teddy's H)

Will you devote time to manage the subject business? ☒ Yes ☐ No

If answer is "YES", will it be _____ Full time, or ☒ Part-time?

I, Richard Stula

(Full Street Address, City, State, Zip)

being first duly sworn, deposes, and says, that the above information is true and correct and that I ☐ have/ ☒ have not) been convicted on any felony charge.

Signature

P
R
P
A



FOR NOTARY USE ONLY

STATE OF HAWAII
City and County of Honolulu

} SS.

On this 29 day of July, in the year of 2020, personally appeared Richard Stula
who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to within the foregoing instrument and acknowledged to me that he/she executed the same in his/her authorized capacity(ies), and that by his/her signature on the aforementioned instrument the person upon behalf of which the person acted, executed the aforementioned instrument in free act and deed.

Signature of Individual before Notary

Subscribed and sworn to before me this:

29 day of July, 2020

Signature of Notary

Print Name: STACIE L. IKEI
Notary Public, State of Hawaii

My commission expires 11/6/22

NOTARY CERTIFICATION

Date of Doc: undated

of Pages: 2

Notary Name: STACIE L. IKEI

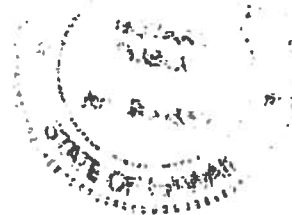
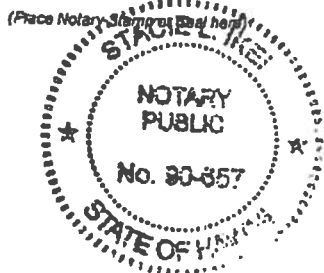
Circuit

Doc. Description: personal history & affidavit

Notary Signature

Date

(Place Notary Stamp or Seal here)



LIQUOR COMMISSION
CITY AND COUNTY OF HONOLULU
711 KAPIOLANI BOULEVARD, SUITE 600, HONOLULU, HAWAII 96813-5249
PHONE (808) 768-7300 • FAX (808) 768-7311
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PERSONAL HISTORY AND AFFIDAVIT

Rule 3-83-53.1

2020 OCT 19 P 2:01

NAME Tsakiris Theodore SOCIAL SECURITY NO. _____
Last First Middle Maiden
HOME ADDRESS _____ APT. NO. _____ TELEPHONE NOS.: _____
HOME (_____) _____
CITY _____ STATE _____ ZIP CODE _____ BUS. 808 , 741-0387
PLACE OF BIRTH _____ DATE OF BIRTH _____ AGE _____ MARITAL STATUS Separated
(City, State) (MM / DD / YYYY)
NO. OF YEARS COMPLETED IN HIGH SCHOOL Two YEAR COMPLETED 12 NAME OF SCHOOL Palm Beach Gardens High School Palm Beach Florida
(include City and State)
NO. OF YEARS COMPLETED IN COLLEGE Four YEAR COMPLETED 4 NAME OF COLLEGE University Of Hawaii At Manoa, Honolulu Hawaii
(include City and State)
OTHER EDUCATION _____

CITIZENSHIP* United States DATE ARRIVED IN HAWAII (if applicable) August 15, 1987
*(If not a U.S. citizen, indicate type of Visa, or Resident Alien Card No., or Immigration Department No.)

EMPLOYMENT RECORD (from the time school was completed to present):

FROM MONTH/YEAR	TO MONTH/YEAR	POSITION	EMPLOYER	LOCATION
12/87	10/92	Waiter	Shore Bird Beach Broiler	Waikiki (Reef Hotel)
1/93	2/94	Bussboy	Roys Park Bistro	Waikiki (Alana Waikiki)
4/98	Present	Co-CEO	Teddy's Bigger Burgers	All
4/2010	4/2011	Co-CEO	Baja Bettys Bar and Grill	Aloha Tower
6/2016	2/2019	Co-CEO	BYOB Bowls, LLC	Hawaii Kai
6/2020	Present	Co-Ceo	DBA Tex 808	Hawaii Kai

(If additional space is needed, please use reverse side)

List your experience in the liquor industry: Operating Teddy's Bigger Burgers Haleiwa , Owner of Baja Betty's Southwestern Bar and Grill Aloha Tower. Co-Ceo of BYOB Bowls restaurant in Hawaii Kai and most recently DBA of BYOB Bowls, Tex 808 BBQ & Brews

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C&C OF HONOLULU

NO OCT 19 P 2:01

Will you devote time to manage the subject business? ☒ Yes ☐ No

If answer is "YES", will it be ☐ Full time, or ☒ Part-time?

I, Theodore Tsakiris

of

(Full Street Address, City, State, Zip)

being first duly sworn, deposes, and says, that the above information is true and correct and that I ☐ have ☒ have not) been convicted of any felony charge.

Signature



FOR NOTARY USE ONLY

STATE OF HAWAII
City and County of Honolulu

} SS.

On this 27th day of July, in the year of 2020, personally appeared Theodore Tsakiris who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to within the foregoing instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the aforementioned instrument the person, or the entity upon behalf of which the person(s) acted, executed the aforementioned instrument in free act and deed.

Subscribed and sworn to before me this:

27th day of July, 2020

Print Name: Mitch M. Kaaialii
Notary Public, State of Hawaii

My commission expires 9/15/22

NOTARY CERTIFICATION

Date of Doc 7/27/20 # of Pages 2

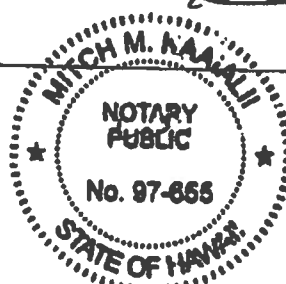
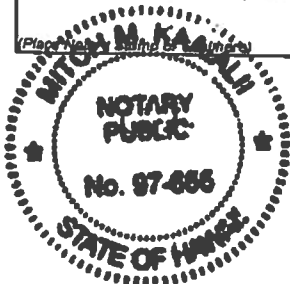
Notary Name Mitch M. Kaaialii first Circuit

Doc. Description: Personal History and Affidavit

Notary Signature

Date

(Place Notary Stamp or Seal here)



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C&C OF HONOLULU

PERSONAL HISTORY AND AFFIDAVIT
Rule 3-83-53.1

200 OCT 19 P 2:01

NAME Stula Matthew Richard SOCIAL SECURITY NO. _____
Last, First Middle Maiden
HOME ADDRESS _____ APT. NO. _____ TELEPHONE NOS.: _____
CITY _____ STATE _____ ZIP CODE _____ BUS. _____
PLACE OF BIRTH _____ DATE OF BIRTH _____ AGE _____ MARITAL STATUS Married
(City, State) (MM/DD/YYYY)
NO. OF YEARS COMPLETED IN HIGH SCHOOL 4 YEAR COMPLETED 1999 NAME OF SCHOOL East Longmeadow High School, MA
(Include City and State)
NO. OF YEARS COMPLETED IN COLLEGE 4 YEAR COMPLETED 2004 NAME OF COLLEGE University of Massachusetts, Amherst, MA
(Include City and State)
OTHER EDUCATION _____

CITIZENSHIP* USA DATE ARRIVED IN HAWAII (if applicable) 9/11/2007
*(If not a U.S. citizen, indicate type of Visa, or Resident Alien Card No., or Immigration Department No.)

EMPLOYMENT RECORD (from the time school was completed to present):

FROM MONTH/YEAR	TO MONTH/YEAR	POSITION	EMPLOYER	LOCATION
5/99	11/09	Munitions Systems Specialist	US Air Force	Westfield, MA
6/04	11/07	Munitions Systems Specialist	Department of Defense	Westfield, MA
5/08	6/09	Barista	Banyan Breeze Coffee	Honolulu, HI
6/09		Present Chief Marketing Officer	Teddy's Burger Burgers	Honolulu, HI
6/17	4/19	Manager	Byo Bools	Honolulu, HI
6/19		Present Manager	Tex 808	Honolulu, HI

(If additional space is needed, please use reverse side)

List your experience in the liquor industry: Currently on the license for Byo Bools/TEX 808
Liquor license. Hold Blue card too.

Will you devote time to manage the subject business? ☒ Yes ☐ No

If answer is "YES", will it be ☐ Full time, or ☒ Part-time?

I, Matthew R. Stula

of

(Full Street Address, City, State, Zip)

being first duly sworn, deposes, and says, that the above information is true and correct and that I ☐ have ☒ have not been convicted of any felony charge.

[Signature]

Signature

P.
R.
P.
A.



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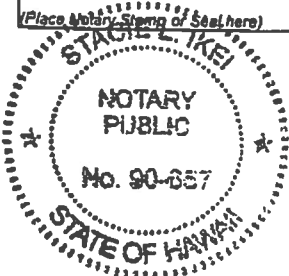
STATE OF HAWAII
City and County of Honolulu

SS.

On this 29 day of July, in the year of 2020, personally appeared Matthew R Stula
who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to within the foregoing instrument and acknowledged to me that he/she/they executed the same in
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the aforementioned instrument the person, or the entity upon behalf of which the person(s) acted, executed the
aforementioned instrument in free act and deed.

[Signature]
Signature of applicant(s) before Notary
Subscribed and sworn to before me this:
29 day of July, 2020
[Signature]
Signature of Notary
Print Name: STACIE L. IKEI
Notary Public, State of Hawaii
My commission expires 11/6/22

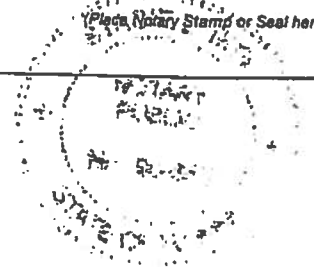
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NOTARY CERTIFICATION

Date of Doc: undated # of Pages: 2
Notary Name: STACIE L. IKEI 1st Circuit
Doc. Description: personal history & affidavit
[Signature]
Notary Signature Date 7/29/2020

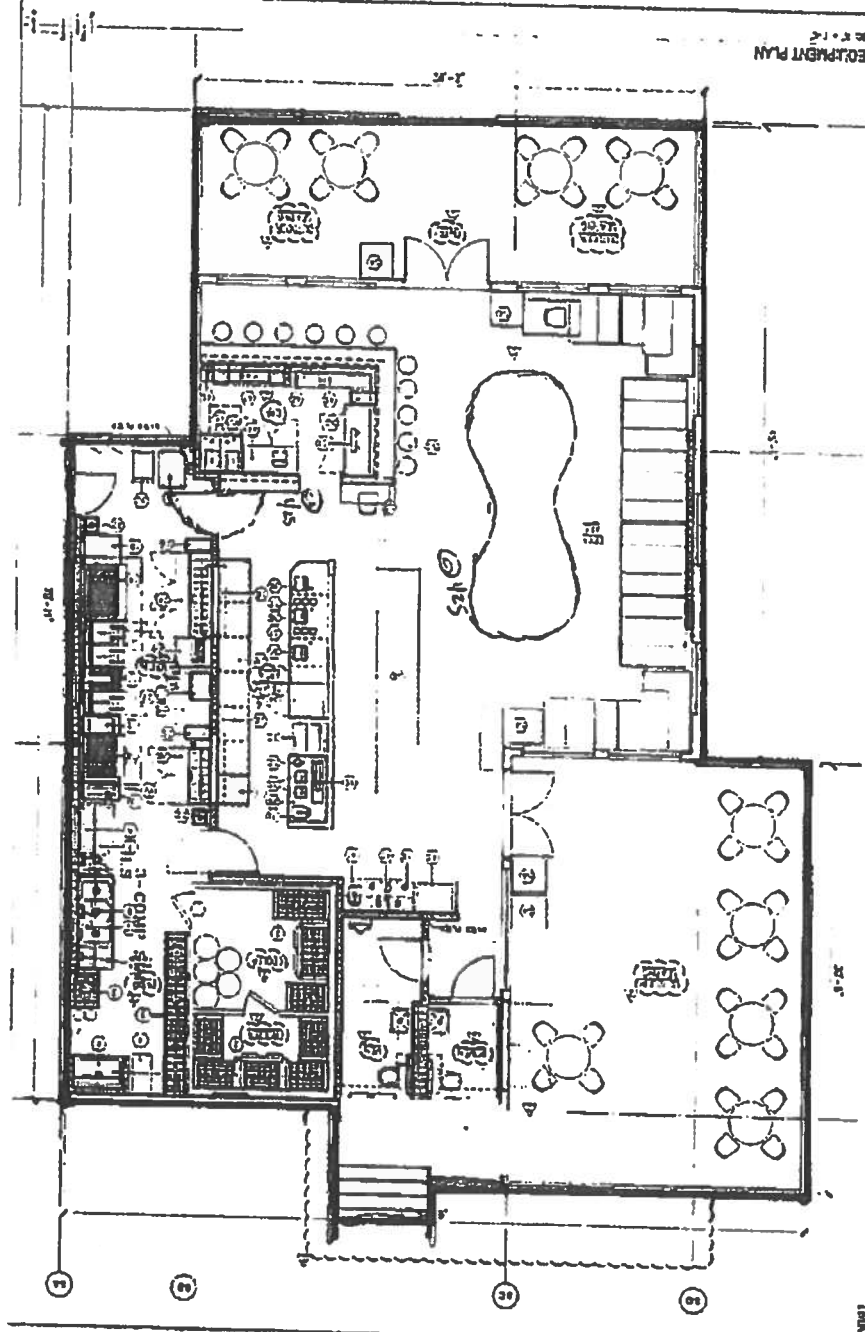
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2020 JUN 23 P 5:44

EQUIPMENT PLAN



EQUIPMENT LIST

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100	STOVE	1

FLOOR PLAN

CAPACITY 97
MEN'S
WOMEN'S
WATER CLOSET
URINAL
LAVATORY
WOMEN'S
WATER CLOSET
LAVATORY

TEDDY'S BIGGER BURGERS HALEIWA
66-111 KAM HWY SPACE 801 HALEIWA,
HAWAII 96712
TMK: 6-6-004:034 & 033

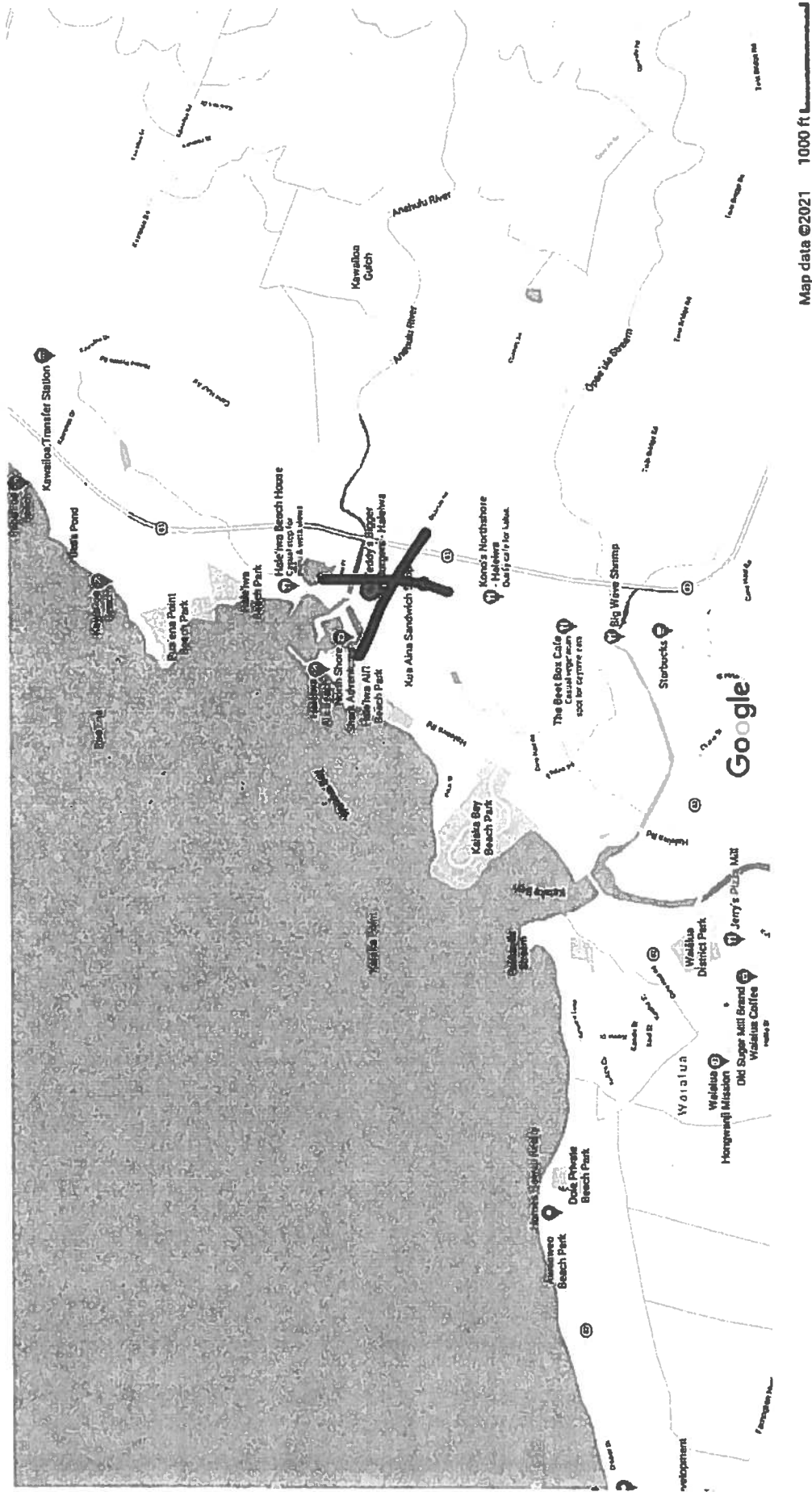
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C&C OF HONOLULU

TEDDY'S BIGGER BURGERS HALEIWA
66-111 KAM HWY SPACE 801 HALEIWA,
HAWAII 96712
TMK: 6-6-004:034 & 033

EXHIBIT B

Google Maps Teddy's Bigger Burgers - Haleiwa



LICENSING INVESTIGATIVE REPORT

DATE: July 6, 2021

SUBJECT: Application No. 21-23321 from Bamboo Catering Inc., dba Bamboo Catering, for a Special General license from 5:30 p.m. to 10:30 p.m. on Saturday, July 17, 2021, at 94-428 Mokuola Street, Waipahu for a Family Gathering

CORPORATE STRUCTURE:

Bamboo Catering Inc.: Incorporated under the laws of the State of Hawaii on April 2, 2018, the corporation is authorized to issue 1,000 shares of common stock, of which all 1,000 shares are issued and outstanding. The officers and stockholders are:

		<u>Shares</u>	<u>Percentage</u>
Jason Takemura	Pres/D	1,000	100%

CJIS Computer checks were negative for any felonies.

According to Notification of Authorized Agent, dated March 15, 2021, Jason Takemura, President of Bamboo Catering Inc., authorizes David Webb to serve as an authorized agent for the company before the Liquor Commission.

FINGERPRINTS:

Jason Takemura was fingerprinted on June 24, 2021, HCJDC/FBI were negative for any felonies.

WAIVER:

On April 8, 2021, Bamboo Catering Inc. was granted a waiver by the Commission, of the requirement to submit Personal History and Affidavits with each future Special license application unless any changes are made to the Corporation, which will require submittal of necessary documents.

TRADE NAME:

According to a Certificate of Registration of Trade Name from the State of Hawaii Department of Commerce and Consumer Affairs, dated March 20, 2018, Jason Takemura has secured the use of the trade name "Bamboo Catering" for five (5) years from March 20, 2018 to March 19, 2023.

In a letter, dated May 26, 2021, Jason Takemura authorizes Bamboo Catering Inc. to use the trade name "Bamboo Catering".

DESCRIPTION OF PREMISES:

Details of Premises: The proposed licensed premises will be an indoor ballroom space and an outdoor courtyard space, approximately 83 feet by 120 feet overall, in the Filipino Community Center located at 94-428 Mokuola Street, Waipahu.

See **Exhibit A**

The indoor ballroom is approximately 64 feet by 83 feet overall, and the outdoor area is approximately 53 feet by 97 feet overall.

REASON FOR APPLYING:

To allow for the sale and consumption of liquor for a Family Gathering.

INVESTIGATION:

The event will be for a Family Gathering.

The event will be from 5:30 p.m. to 10:30 p.m. on Saturday, July 17, 2021.

INVESTIGATION (CONTINUED):

Approximately 75 people (including minors) are expected to attend the event. The event will be by invitation only. Liquor service will be no host.

There will be recorded and DeeJay music provided as entertainment.

There will be no dancing.

David Webb (ph: 425-0307) will be the manager at the event.

APPLICANT'S ADDITIONAL INFORMATION REGARDING
SAFETY/SECURITY:

Applicant has indicated that the following listed below will be enforced during the duration of the event.

There are 20 tables on the floor plan. **Exhibit A1**
Maximum 8 guests per table.

Guests will be required to remain seated except when visiting the restroom.

Guests will thermal screened at reception area.

Contact tracing information will be done in advance.

Social distancing enforced. Masked required except when eating or drinking.

There will be one (1) HPD special duty officer providing security for the event.

For further details refer to **Exhibit B.**

LANDLORD'S CONSENT:

According to Landlord Authorization, dated May 21, 2021, the Filipino Community Center (Fee Owner) authorizes Applicant to sell and serve liquor at the subject premises for the event on July 17, 2021.

NEIGHBORHOOD BOARD NOTIFICATION:

Notification to the chair of the neighborhood board was made on June 19, 2021.

ZONING CLEARANCE:

The applicant has submitted a valid Zoning Clearance issued by the Department of Planning and Permitting, dated March 16, 2021.

EMERGENCY PROCLAMATION/EMERGENCY ORDER:

Applicant shall comply at all times with the Office of the Governor of the State of Hawaii Proclamations and the Office of the Mayor of the City and County of Honolulu Emergency Orders.

OPINION:


In my opinion, statutory requirements have been met.



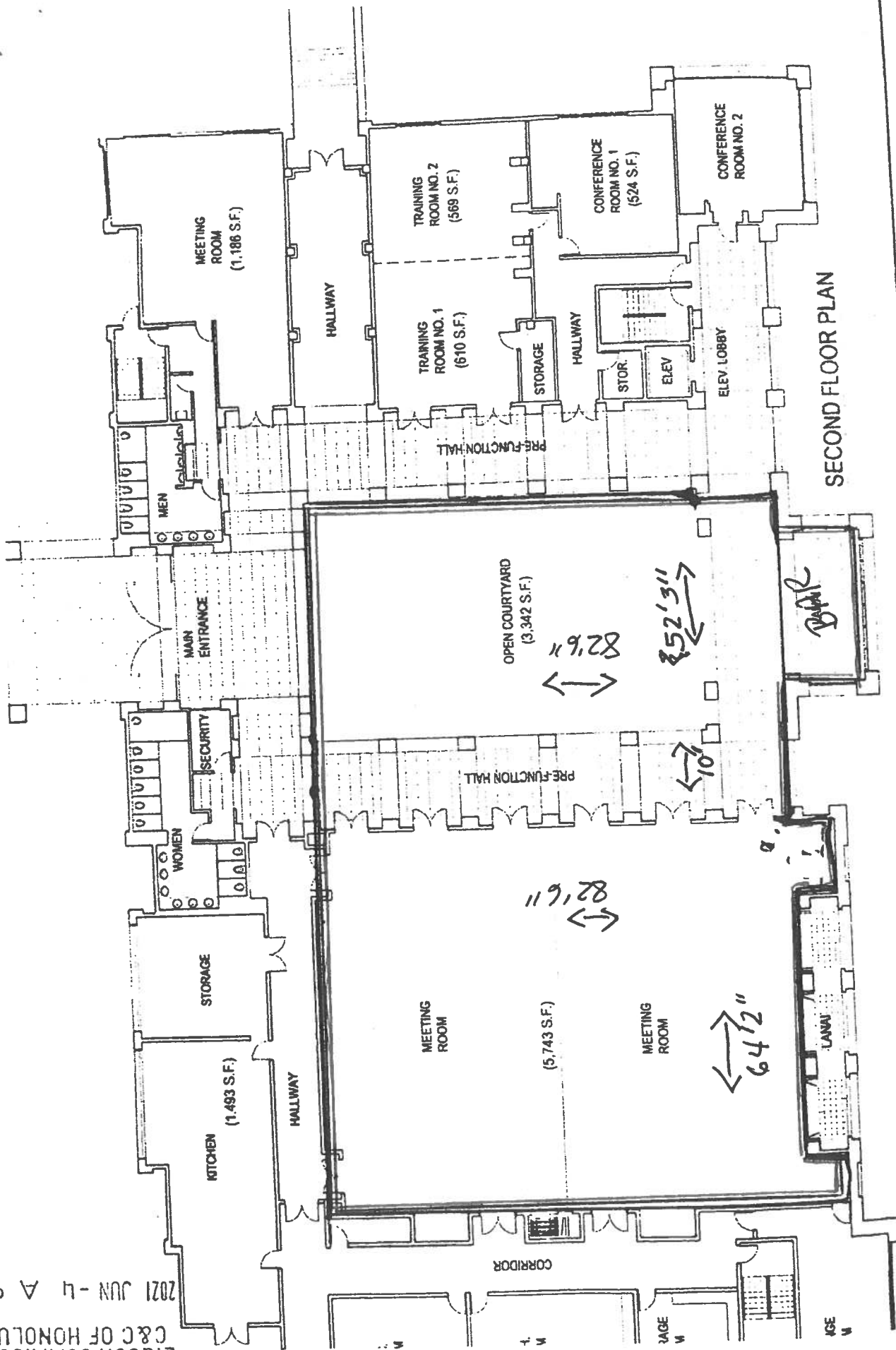
Daniel Sato
Supervising Investigator

Reviewed by:



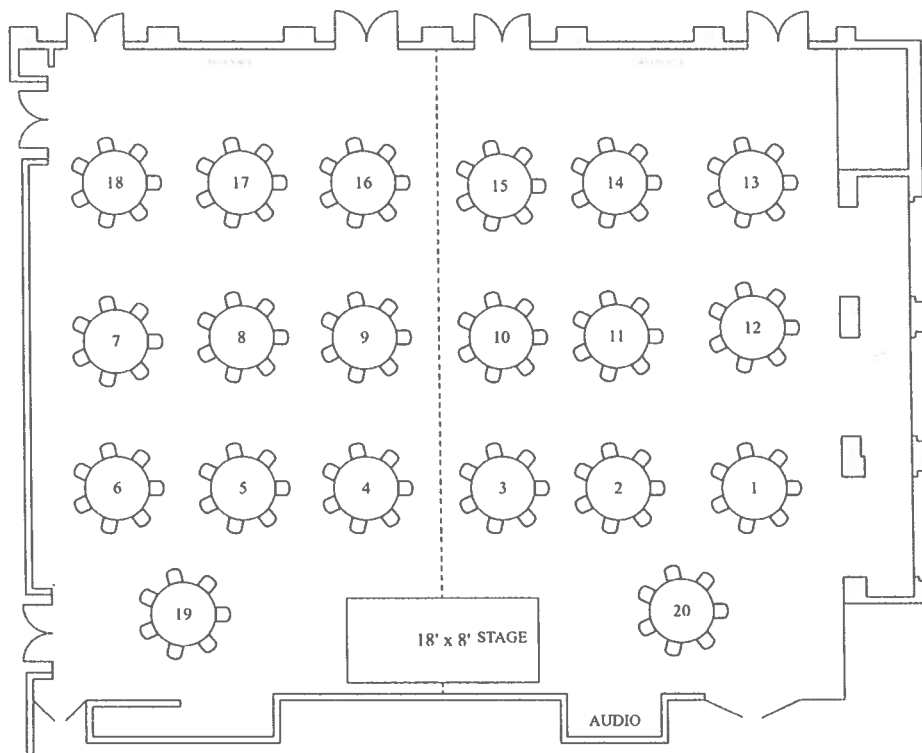
Peter Nakagawa 
Chief Investigator

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2021 JUN -4 A 9



THE FILIPINO COMMUNITY CENTER
94-428 Mokuola Street
Waipahu, Hawaii 96797

<Type Text>



**LIQUOR COMMISSION
CITY AND COUNTY OF HONOLULU**
711 KAPIOLANI BOULEVARD, SUITE 600, HONOLULU, HAWAII 96813-5249
PHONE (808) 768-7300 • EMAIL HLC@honolulu.gov
INTERNET ADDRESS: www.honolulu.gov/liq

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2021 JUN -4 A 9:37

SUPPLEMENTAL INFORMATION FOR SPECIAL & CATERING LIQUOR LICENSE APPLICATION

For Special License:

Up to three (3) event days per application. Application(s) must be submitted a minimum of six (6) weeks prior to event.

For Catering License:

For Restaurant and Hotel Licensees only. Application must be submitted a minimum of three (3) weeks prior to event.

Licensee Name: Bamboo Catering Inc. dba Bamboo Catering Liquor License #: _____

Licensee Contact Name: David Webb Title: Sales Manager

Caterer Only: Name of Registered Manager on Duty at Event: David Webb

Manager on Duty Phone: (808) 425-0307 Manager on Duty Email: david@bamboocatering.net

Start Date & Time (include set-up time): July 17, 2021 5:30pm End Date & Time (include clean-up time): July 17, 2021 10:30pm

Description of Event: Family Gathering

Name of Event Promoter: none

Event Coordinator Phone: n/a Event Coordinator Email: n/a

Reason for applying for the Special or Catering License: for the sale and consumption of alcohol beverages

Type of license exercised on previous occasions, if any; number of times approved; when, where and whether or not license was exercised without incident. numerous licenses applied for and approved since 2018
no incidents or violations

How will liquor be dispensed?

☐ Host ☒ No-Host

Regarding Drinks:

a. Type of drinks to be served (including soft drinks): Mixed drinks, beer, wine, soda, juice, bottled water

b. Type of payment (cash or script): cash or credit card

c. Type of serving container (disposable cup, glass, etc.): Bottles, cans, plastic cups & wine glasses

d. Who and how many people will be dispensing the liquor? (applicant's employees, other people?): _____
1 bartender and 1 bar runner; all employees of Bamboo Catering

☐ Attach list of names and titles of people dispensing liquor.

Attendance & Admission:

Approximate number of people expected to attend event: 75

Will anyone under 21 years of age attend? Yes

Check One: ☐ Event Open to Public ☒ By Invitation Only

Will there be an admission charge? NO If yes, what is the admission ticket price? 2021 JUN -4 A 9:37

Tickets will be sold ☐ In Advance ☐ At the Door

Entertainment:

a. Describe type of entertainment (live or recorded): recorded music played by a deejay

b. Name of Group performing: none

c. Number of Performers: 0

☐ Attach list of names, ages and parental approval documents for all performers under 18 years of age.

d. Describe where on the premises the entertainment will take place: on stage in the Casamina Ballroom

e. Hours of entertainment, provide start and end times: 5:30pm-10:30pm

Security will be provided by:

a. Name of Agency: HPD Special Duty

b. Number of Security Personnel: 1

c. Other Security Information: _____

For Catering License Only:

Will wholesale liquor be delivered to the catered site? ☒ Yes ☐ No

Who is hiring applicant to cater food and liquor? Mrs. Pua Higa, (client)

Name of Outside Promoter (if any): none

David Webb
SIGNATURE Licensee (Owner) / Authorized Agent

May 24, 2021
DATE

David Webb/Authorized Agent
PRINT Licensee (Owner) / Authorized Agent

Sales Manager
TITLE

Note: If submission by Authorized Agent, please submit a Letter of Authorization or Notification of Authorized Agent (Form# LIQ-LIC-106), signed by the Director.

For HLC Office Use Only

Effective Date/Time

START: _____ a.m. / p.m.

☐ Approved

☐ Denied

☐ Referred

END: _____ a.m. / p.m.

HLC STAFF INITIAL: _____

LCIS ENTRY DATE: _____

Franklin "Don" Pacarro, Jr.
Administrator

Date

Sato, Daniel T

From: David Webb <david@bamboocatering.net>
Sent: Thursday, June 24, 2021 1:35 PM
To: Sato, Daniel T
Subject: RE: 21-23321 July 17 ,2021 Event
Attachments: July 17th Event.pdf; COVID-19 QUESTIONNAIRE.docx

CAUTION: Email received from an EXTERNAL sender. Please confirm the content is safe prior to opening attachments or links.

Aloha Daniel,

- There will be recorded music with a deejay but **NO** dancing, as that is not permitted yet
- Tables will be in the Ballroom (I have attached a floor plan)
- The Ballroom and all tables and chairs will be sanitized 1.5 hours prior to guest arrival
- Guests will be thermal screened at the reception
- Guest are also required to complete the attached COVID-19 Questionnaire at the reception
- Contact tracing information is also being provided in advance by the client so all guests are assigned to a specific table
- Guests will enter thru one door and exit thru doors on the opposite side of the ballroom even when leaving to use the restrooms
- Line to enter has been marked off in 6 foot intervals to facilitate social distancing
- While in the ballroom guests are required to remain seated
- While in the courtyard guests do not have to be seated but must socially distance
- Tables are limited to a maximum of (8) individuals per table.
- Tables shall be arranged so that at least six (6) feet of separation is maintained between the tables.
- Masks must be worn at all times except when eating or drinking
- No dancing
- HPD Special Duty has been scheduled

Please let me know if any additional information is required or if you need anything else for Jason's Criminal History Clearance application.

Mahalo,
David Webb
Sales Manager
(808) 425-0307
Bamboocatering.net



EXHIBIT B



CLIENT CONTACT FORM AND COVID-19 QUESTIONNAIRE

1. In the last 14 days, have you been in contact with someone who was confirmed of being exposed to the coronavirus? YES _____ NO _____
2. Do you have any of the following symptoms?
 ___ Chills or fever above 100.4 degrees ___ Cough ___ Headache
 ___ Shortness of breath ___ Sore throat ___ Fatigue ___ Body aches
 ___ Loss of taste or smell ___ Congestion or runny nose ___ Nausea or vomiting
 ___ None of the above

By signing below, I consent to my name and contact information being used for contact tracing purposes as related to COVID-19 and my participation in events at Filipino Community Center, 94-428 Mokuola Street, Waipahu, HI 96797

Print Name: _____

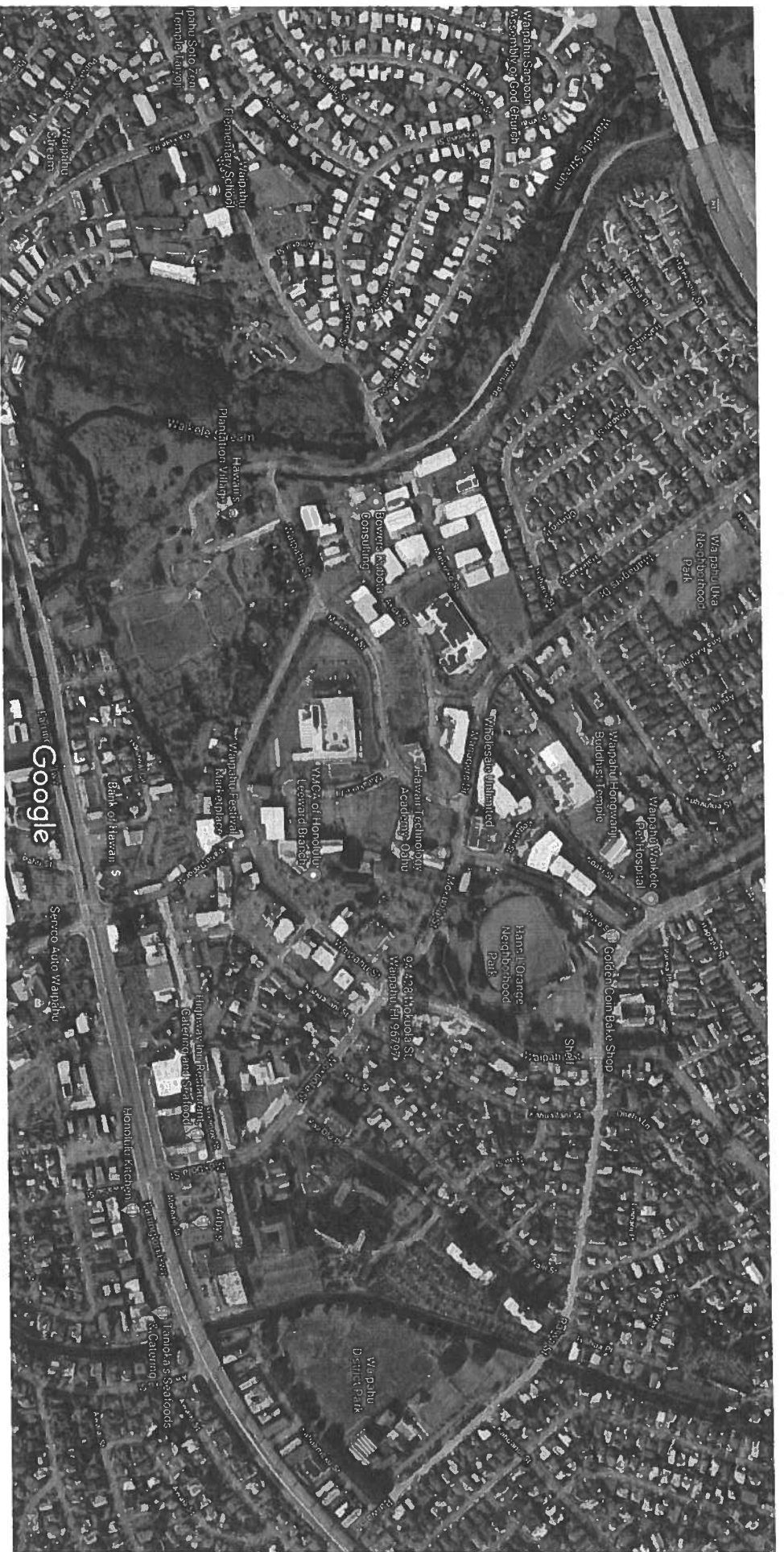
Signature: _____

Date: _____

Contact Phone Number: _____

Email Address: _____

94-428 Mokuola St



LICENSING INVESTIGATIVE REPORT

DATE: June 30, 2021

SUBJECT: New Application No. 21-22937 from Himakana Inc., dba Himakana Inc.
for a Wholesale General license at 2688 Kilihau Street, #E Honolulu, HI
96819

CORPORATION STRUCTURE:

Himakana Inc.: was incorporated under the laws of the State of Hawaii on January 23, 2017, as a corporation. 1,000 common shares are authorized to be issued 1,000 of which are outstanding. The Sole Officer/ Director/ Shareholder is:

		<u>Shares</u>	<u>Ownership:</u>
Jun Ho Jong	P/ VP/ S/ T/ D	1,000	100%
		1,000	100%

See **Exhibit A** for Personal History Affidavit.

FINGERPRINTS:

Jun Ho Jong was fingerprinted on March 5, 2021, CJIS computer checks and HCJDC/ FBI Checks show negative for felony convictions.

FINANCIAL STATEMENT FOR HIMAKANA INC., AS OF DECEMBER 13, 2019:

Applicant submitted a Financial Statement dated March 17, 2021, and received by the Commission March 18, 2021, and was certified by the applicant to be substantially correct.

COST AND FINANCING:

According to the applicant the startup cost will be approximately \$50,000. The applicant will self-finance.

TRADE NAME:

According to the applicant they will be using the company name "Himakana Inc." as its Trade Name.

DESCRIPTION OF THE PROPOSED LICENSED PREMISES:

Location: The proposed premises is located at 2688 Kili Hau Street, #E Honolulu, HI 96819.

- The proposed premises is rectangular in shape and has two (2) floors. The total area is 63ft x 25ft, approximately 1,575 square feet.
- There is a restroom at the north east corner of the first floor approximately 5ft x 5ft.
- A sliding door is located on the west wall approximately 10ft wide
- First floor has three (3) spaces 15ft x 13ft, 18ft x 13ft and 37ft x 13ft.

See **Exhibit B** for floor plan.

CHURCH, SCHOOL, OR PUBLIC PLAYGROUND WITHIN 500 FEET:

None.

SAME CLASS OF LICENSE WITHIN 500 FEET:

None.

CURRENT NUMBER OF SAME CLASS ISSUED WITHIN THE CITY AND COUNTY OF HONOLULU:

As of June 30, 2021, there are 27 Wholesale licenses issued within the City and County of Honolulu, of which 24 licenses are General/ kind.

OTHER MATTERS PERTAINING TO THE APPLICATION WHICH MAY AFFECT
ISSUANCE OF THE LICENSE:

Kind of Business:

- The applicant will be engaging in the distribution and sale of liquor
- Hours of Operation:
8:00am to 6:00pm, Monday through Friday
- Applicant will employ 5 employees.

Standard Lease:

Lease was made on May 1, 2013 between Lease Properties LLC (Landlord) and Rainbow Craft Company (Tenant). The term of this lease commenced May 1, 2013 and ended April 30, 2017.

According to 1.j. Landlord's address for notices, identifies Watumull Properties.

In a letter from Watumull Properties Corp. dated May 25, 2021, identifies Watumull Properties Corp. as the managing agent for Lease Properties LLC, and was signed by the property manager Kacey Kamakele.

According to a letter from Watumull Properties Corp., dated March 1, 2021, grants permission for Himakana Inc. to use the property as a distribution center for bottled or canned liquor.

Lease Amendment:

"Term: The term of the Lease shall be extended for an additional five (5) year and five (5) month period beginning May 1, 2017 and ending on September 30, 2022."

Sublease Agreement:

Donald Yim dba Rainbow Craft Corp. (Sublessor) and Himakana Inc. (Sublessee) entered into this Sublease Agreement.

The Lessor is identified Watumull Properties Corp., Property Manager, and Sublessee identified as Sung Il Hong, Authorized agent of the applicant.

OTHER MATTERS PERTAINING TO THE APPLICATION WHICH MAY AFFECT
ISSUANCE OF THE LICENSE CONTINUED:

Federal Basic Permit:

The applicant has a Basic Permit issued by Alcohol and Tobacco Tax and Trade Bureau dated March 30, 2021, granted for operation of a Wholesaler.

ZONING CLEARANCE:

A valid Department of Planning and Permitting zoning clearance dated March 2, 2021, was received by the Commission on March 18, 2021.

According to the clearance the intended business at site is "Wholesale Liquor Dealer", and indicates "Use is Permitted".

HAWAII REVISED STATUTES SECTION 281-56(a)(9) STATEMENT:

As of June 29, 2021, there are no known potential adverse effects on the surrounding community specific to the premises. All potential adverse effects reported staff before the Public Hearing will be forwarded to the Commission for its consideration.

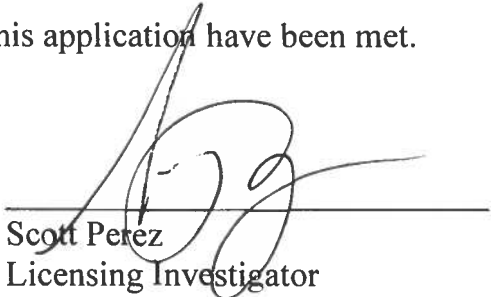
NEIGHBORHOOD BOARD NOTIFICATION:

The applicant shall directly notify the chair of the neighborhood board in which the applicant's place of business is located, in writing and delivered by certified mail, return receipt requested. The return receipt from the certified mailing shall be submitted to the Liquor Commission before a liquor license is issued.

No further information in this area refer to next page


OPINION:

Statutory requirements of this application have been met.



Scott Perez
Licensing Investigator

Reviewed by:



Daniel Sato
Supervising Investigator

5/1/2024
ah

711 KAPIOLANI BOULEVARD, SUITE 600, HONOLULU, HAWAII 96813-5249
PHONE (808) 768-7300 • FAX (808) 768-7311
INTERNET ADDRESS: www.honolulu.gov/liq

9 RECEIVED
LIQUOR COMMISSION
C&C OF HONOLULU

Rule 3-83-53.1

CITIZENSHIP* USA DATE ARRIVED IN 1989
HAWAII (if applicable)
*(If not a U.S. citizen, indicate type of Visa, or Resident Alien Card No., or Immigration Department No.)

<u>FROM</u> <u>MONTH/YEAR</u>	<u>TO</u> <u>MONTH/YEAR</u>	<u>POSITION</u>	<u>EMPLOYER</u>	<u>LOCATION</u>
1996	2002	Employee, part-time	Harry Liquor's Inc.	Honolulu, HI
June 2002	Dec. 2009	Self-employed	Juno Collection	Los Angeles, CA
May 2005	Jan. 2014	Owner	Lialoha Inc.	Honolulu, HI
Mar. 2017	Current	President	HIMAKANA INC.	Honolulu, HI

NOTARY INITIAL: _____

List your experience in the liquor industry: I have been in the wholesale business more than 15 years and managed the company. I also worked at a liquor store about 5 years and dealt with many different customers

Will you devote time to manage the subject business? ☒ Yes ☐ No

If answer is "YES", will it be ☒ Full time, or ☐ Part-time?

I, Jun Ho Jong, of _____

(Full Street Address, City, State, Zip)

being first duly sworn, deposes, and says, that the above information is true and correct and that I ☐ have ☒ have not) been convicted of any felony charge.

Signature



FOR NOTARY USE ONLY

STATE OF HAWAII
City and County of Honolulu } SS.

On this 16 day of March in the year of 2021, personally appeared Jun Ho Jong who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to within the foregoing instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the aforementioned instrument the person, or the entity upon behalf of which the person(s) acted, executed the aforementioned instrument in free act and deed.

Signature of applicant(s) before Notary

Subscribed and sworn to before me this:

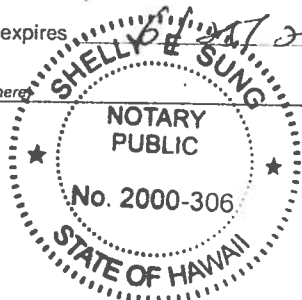
16 day of March, 2021

Signature of Notary

Print Name: Shelly E. Sung
Notary Public, State of Hawaii

My commission expires 2/27/2024

(Place Notary Stamp or Seal here)



NOTARY CERTIFICATION

Date of Doc: MAR 16 2021 # of Pages: 2

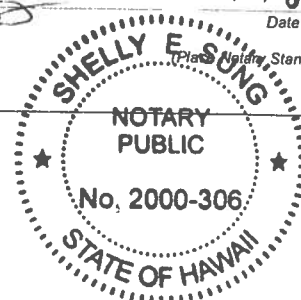
Notary Name: Shelly E. Sung /s/ Circuit

Doc. Description: personal history and affidavit

Notary Signature

MAR 16 2021
Date

(Place Notary Stamp or Seal here)



RECEIVED
LIQUOR COMMISSION
C&C OF HONOLULU

APR 26 P 3: 53

April 22, 2021

Honolulu Liquor Commission
711 Kapiolani Blvd. Suite 600
Honolulu, HI 96913

Email: sperez@honolulu.gov

RE: Himakana Inc. dba Aloha 808 Trading App. No.21-22937

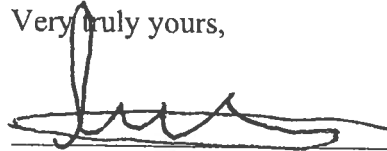
Dear Sir/Madam:

I Jun Ho Jong omitted from my employment history in my Personal History and Affidavit the following:

<u>From</u>	<u>To</u>	<u>Position</u>	<u>Employer</u>	<u>Location</u>
January 2014	Present	Owner	Roadrunner Souvenir, Inc.	San Diego, California

Thank you for your attention to this matter.

Very truly yours,



JUN HO JONG

RECEIVED
HONOLULU
2021 JUN -3 PM 3:17

April 22, 2021

Honolulu Liquor Commission
711 Kapiolani Blvd. Suite 600
Honolulu, HI 96913

Email: speretz@honolulu.gov

RE: Himakana Inc. - App. No 21-22937

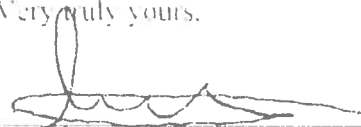
Dear Sir/Madam:

I, Jun Ho Jong, omitted from my employment history in my Personal History and Affidavit the following:

<u>From</u>	<u>To</u>	<u>Position</u>	<u>Employer</u>	<u>Location</u>
<i>Dec 30, 2017</i>	Present	Sole Member	Rolling Colors, LLC	Honolulu, HI

Thank you for your attention to this matter.

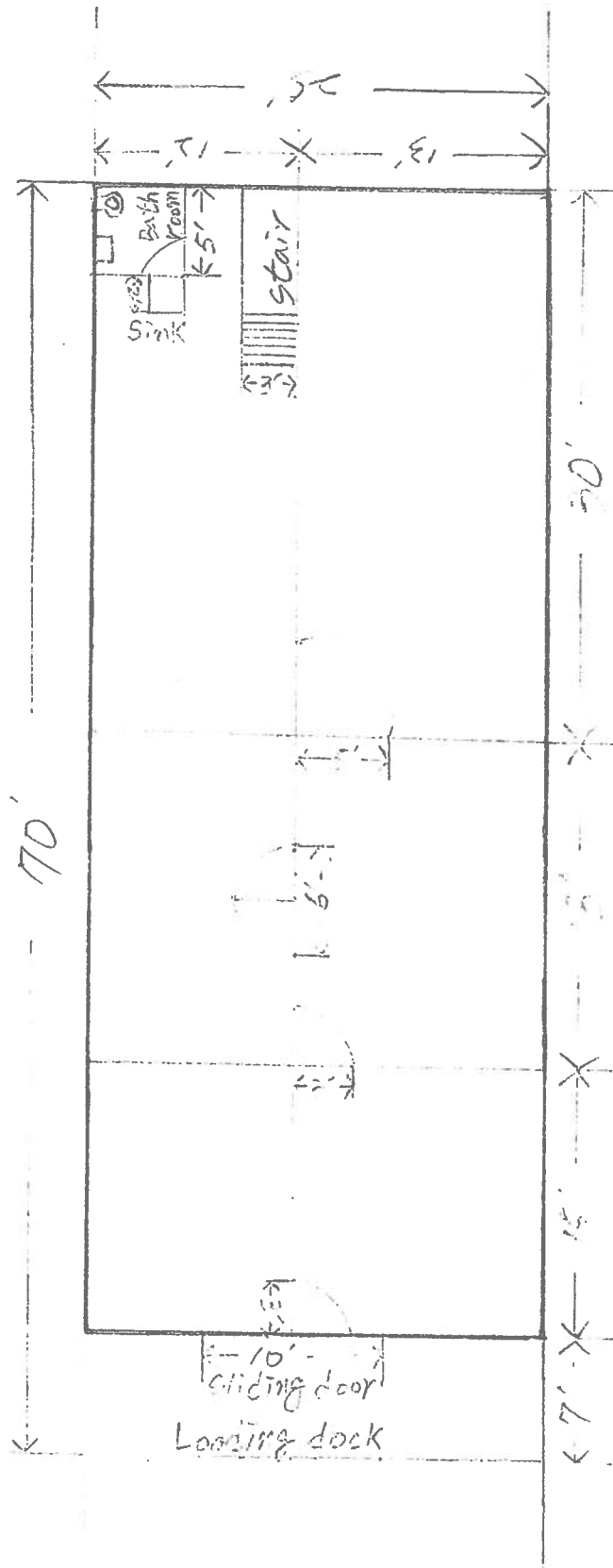
Very truly yours,



Jun Ho Jong

EXHIBIT A

first floor

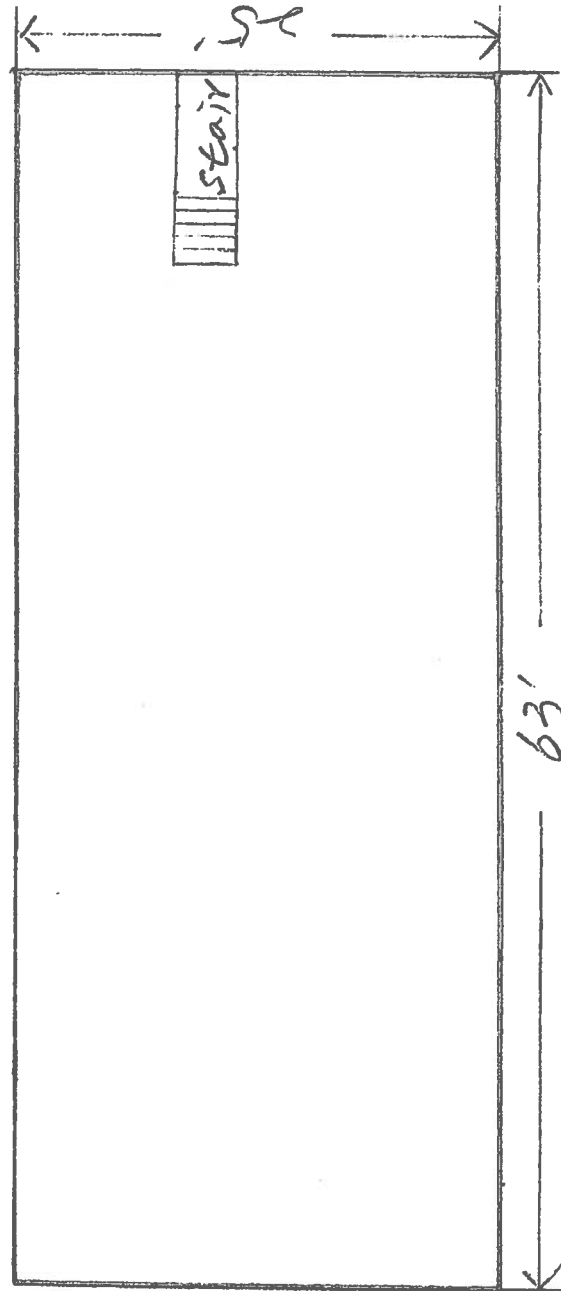


RECEIVED
LIVESTOCK COMMISSION
C&C OF HONOLULU

2021 MAR 29 AM 7:42

1" = 10'

Second floor



1" = 10'

Map data ©2021 Google 100 ft

LICENSING INVESTIGATIVE REPORT

DATE: July 1, 2021

SUBJECT: Miscellaneous Request No. 21-22468 from Hotel Kaimana, Inc., dba The New Otani Kaimana Beach Hotel, Hotel General license at 2863 Kalakaua Ave. Honolulu, HI 96815 for the permanent extension of premises (L0031)

EXISTING LICENSED PREMISES:

Location: The licensed premises is located 2863 Kalakaua Ave. Honolulu, HI 96815.

Details of the licensed premises: The licensed premises contains two (2) buildings.

Primary building:

- Irregular in shape with a total area of approximately 92ft x 130ft
- Nine (9) floors, containing 96 guest rooms
- Ballroom on the 2nd floor
- Hau Tree restaurant, located within the lobby area on the ocean side

Secondary building:

- Irregular in shape with a total area of approximately 63ft x 117ft
- Three (3) floors, containing 16 guest rooms

See **Exhibit A**, current floor plan on file.

PERMANENT INCREASE OF LICENSED PREMISES REQUESTED:

Jean-Pierre Cercillieux, General Manager, submitted HLC Form LIQ-LIC-127, Request for Approval of Permanent Reduction or Temporary/ Permanent Increase of Licensed premises of Licensed Premises, dated October 26, 2020 and received by the Commission on October 27, 2020.

Requested extension was to include the existing 3 story hotel building located on the mauka portion of the property as part of the licensed premises.

REASON FOR INCREASE OF LICENSED PREMISES AND INVESTIGATION:

Reason for this request is to update floor plans of the licensed premises. After a review of the licensee file the follow took effect:

September 27, 1962: Licensee submitted a letter to the Commission that the business will be demolished and a new 9 story hotel structure will be constructed.

Licensee also requests new hotel building to become part of the licensed premises after completing construction.

April 10, 1964: Requested extension of its licensed premises to include 9-story hotel structure and old 3-story concrete structure.

April 23, 1964: Approval of extension of licensed premises including 3 story Hotel building mauka portion of the property.

June 21, 1977: Approval of the following

- 9th floor:
 - o Installation of 14 guest rooms and 2 suites
- 2nd floor:
 - o Relocation of service bar 7 feet in the mauka direction
 - o Installation of walk-in freezer
 - o Banquet room reduced to 12 feet x 33 feet by erecting partitions along Ewa wall
 - o Erect sliding partitions from Ewa wall creating 7 separate dining rooms
 - o Reduction of dining room (at Makai Diamond Head corner) to 11 feet x 14 feet, and dry storage 8 feet x 11 feet.
- Relocate Miyako Restaurant from the 9th floor to the 2nd floor

February 27, 1978: Approval of the following

- Bar in lobby changed to "L" shape
- Storage relocated to the mauka side of the lobby bar
- "L" shaped planters installed separating the Hau Tree lanai dining area and the cocktail lounge

REASON FOR INCREASE OF LICENSED PREMISES AND INVESTIGATION
CONTINUED:

June 20, 1980: Approval of the removal of 8 ground floor shops of the 3 story "L" shaped building.

Furthermore, the review of all licensee files resulted in the discovery of the above written requests from the licensee and approval letters from the Commission. There are no floor plans on file to define what the licensed premises looked like before and after requested alterations and extension of the licensed premises.

REDEFINED LICENSED PREMISES:

On April 14, 2021, I conducted an inspection of the licensed premises to verify the submitted floor plans. The submitted floor plans matched the physical premises.

See **Exhibit B**, updated floor plans.

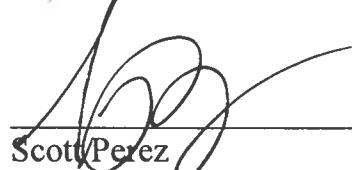
ZONING CLEARANCE:

A valid Department of Planning and Permitting zoning clearance dated October 20, 2020, was received by the Commission on April 12, 2021.

No further information in this area refer to next page

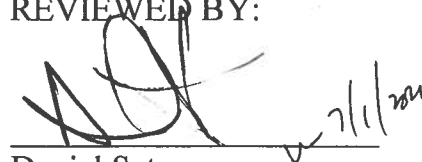
OPINION:

Due to not having previous floor plans for the licensed premises, it is unclear if requirements of this request have been met. However, new floor plans received from the applicant do match the physical layout of the licensed premises and reflect previously requested and approved alterations and extension of licensed premises.



Scott Perez
Licensing Investigator

REVIEWED BY:



Daniel Sato
Supervising Investigator

RECEIVED
LIQUOR COMMISSION
C&C OF HONOLULU

NOV OCT 27 P 2:25

EXISTING BASEMENT

Scale 1/16" = 1'-0"

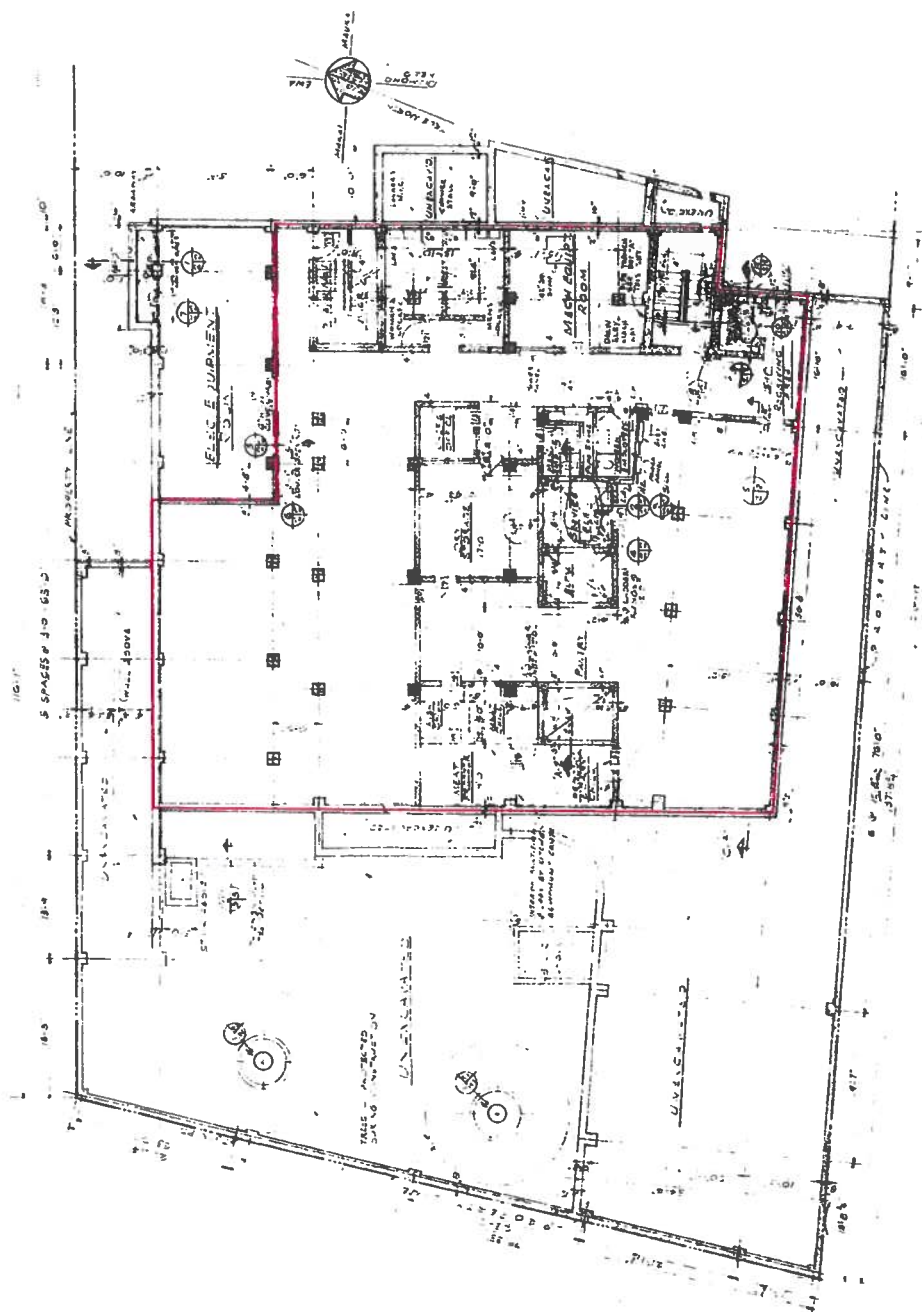
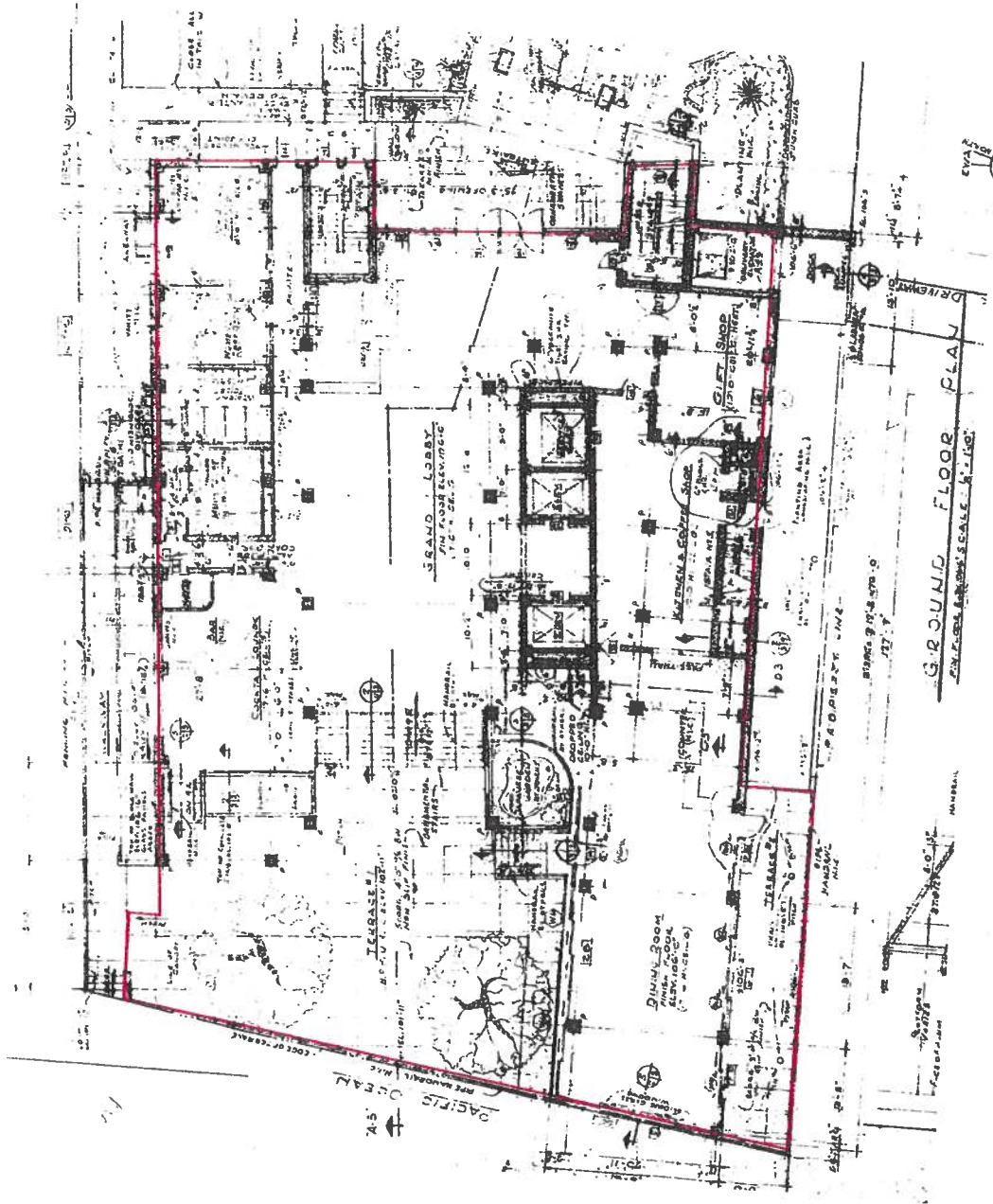


EXHIBIT A

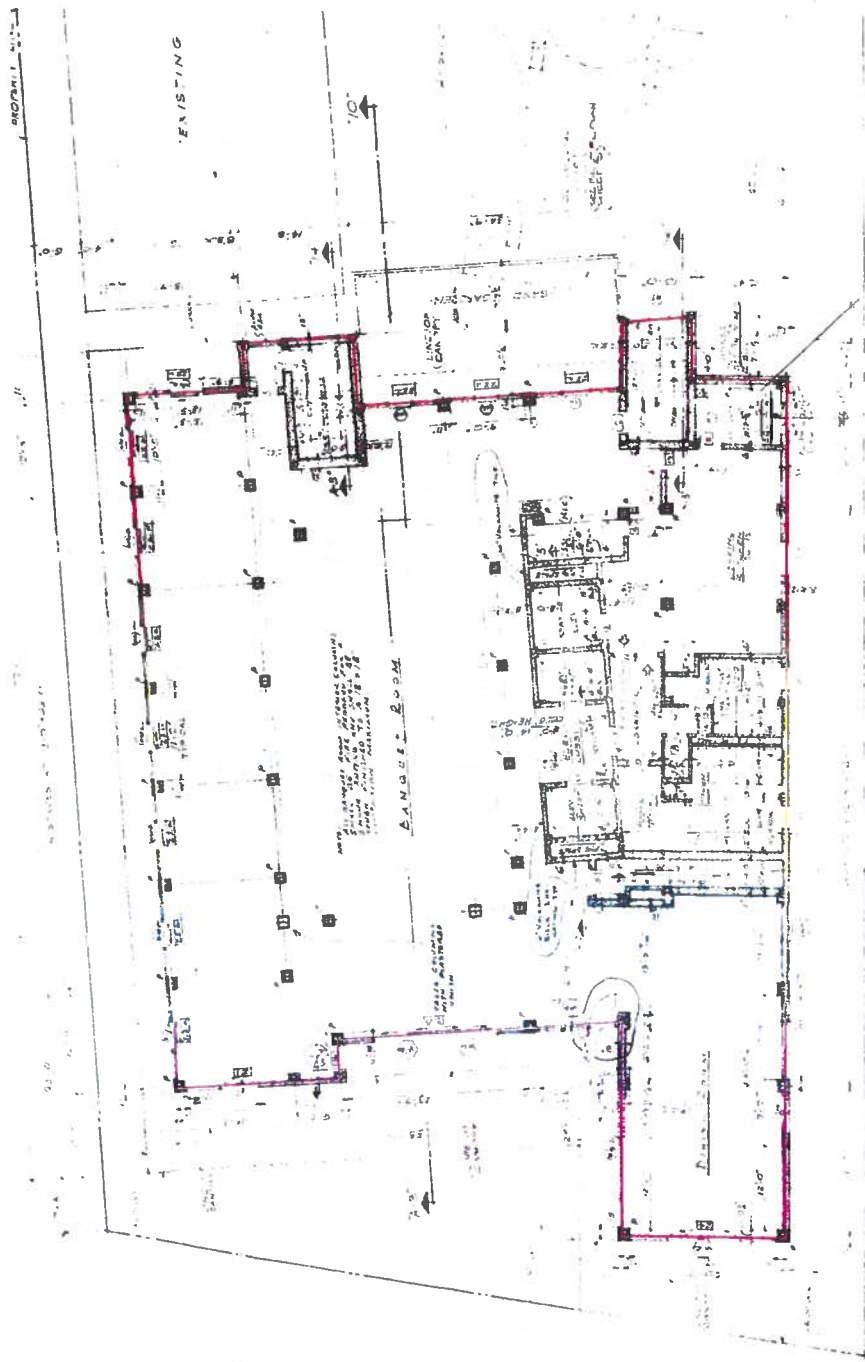
RECEIVED
LIQUOR COMMISSION
C&C OF HONOLULU
NOV 27 1965



EXISTING GROUND FLOOR
Scale 1/16" = 1'-0"
16' 8' 0' 16'
SCALE 1/16" = 1'-0"

EXHIBIT A

RECEIVED
LIQUOR COMMISSION
C&C OF HONOLULU
NOV OCT 27 P 2:25



EXISTING 2ND FLOOR

Scale: 1/16" = 1'-0"



EXHIBIT A

NOV OCT 21 P 2:25



EXISTING 3RD TO 8TH FLOOR

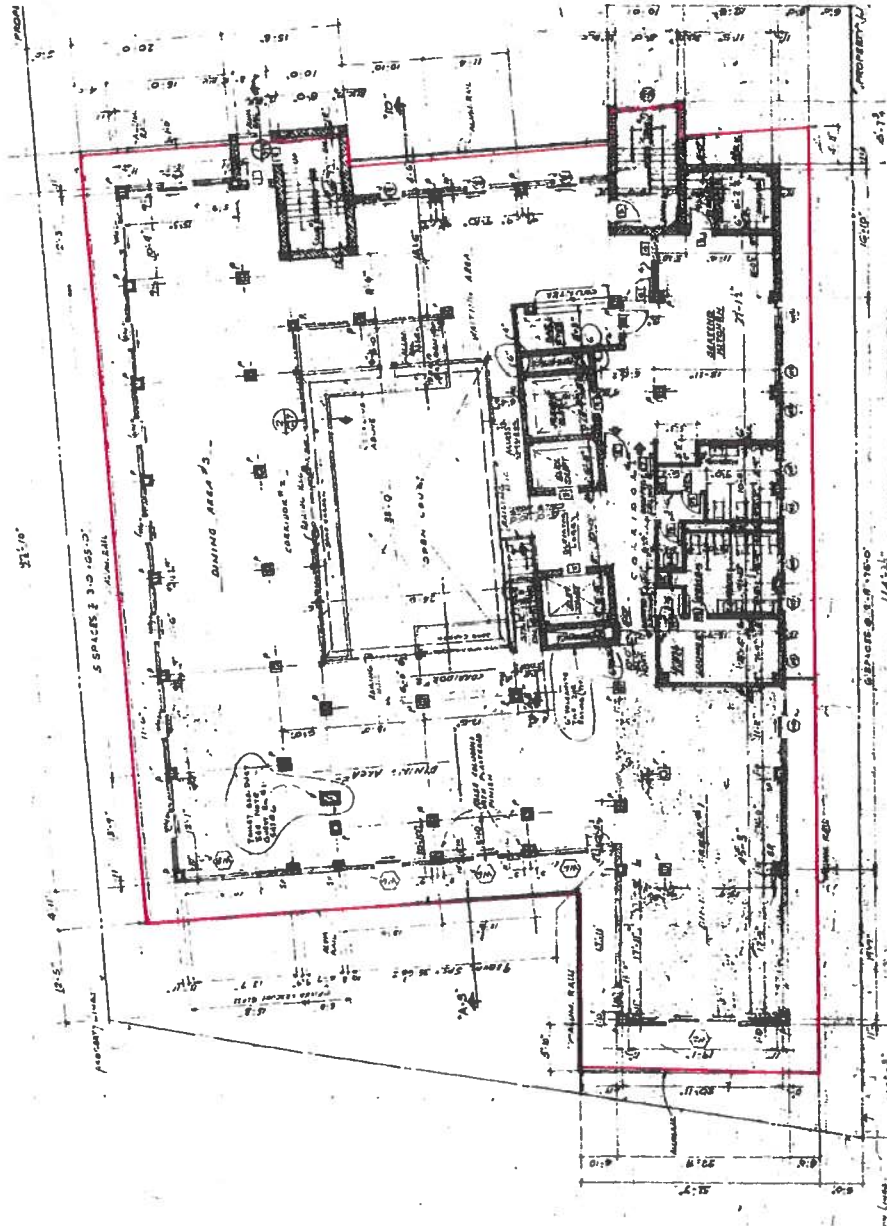
Scale: 1/16" = 1'-0"

16, 3, 0 15, 1

SCALE: 1/16"=1'-0"

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LIQUOR COMMISSION
C&C OF HONOLULU

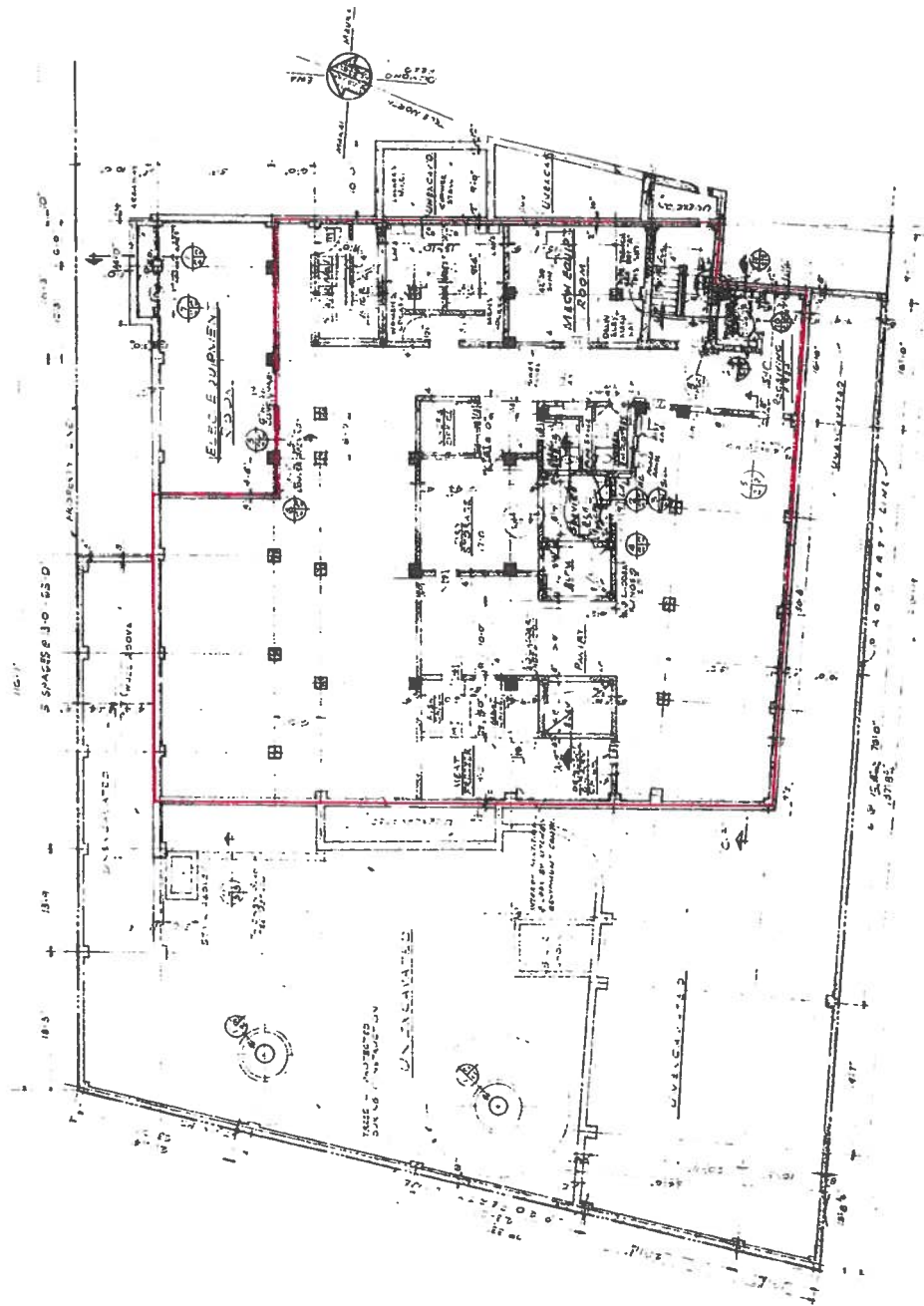
200 OCT 27 P 2:25



EXISTING PENTHOUSE

Scale 1/16" = 1'-0"





NO CHANGE
NEW BASEMENT

Scale: 1/16" = 1'-0"

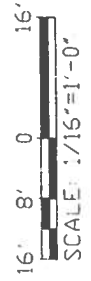


EXHIBIT B

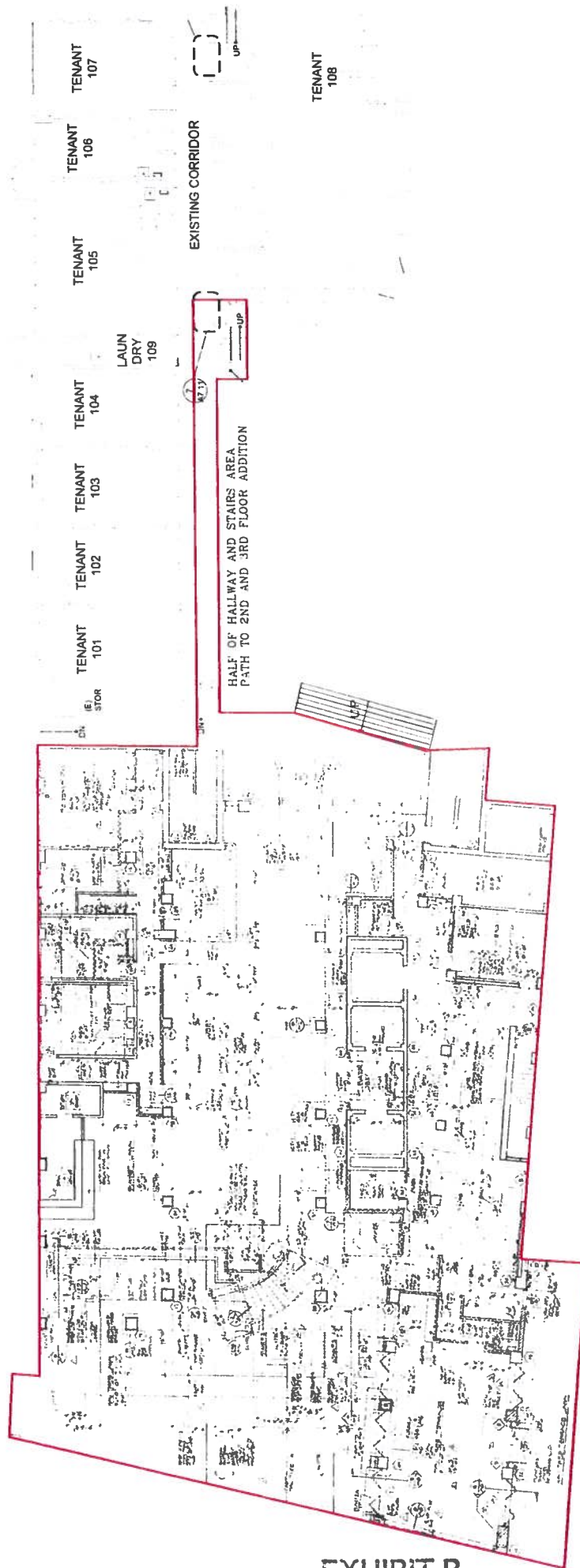
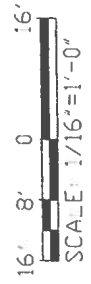


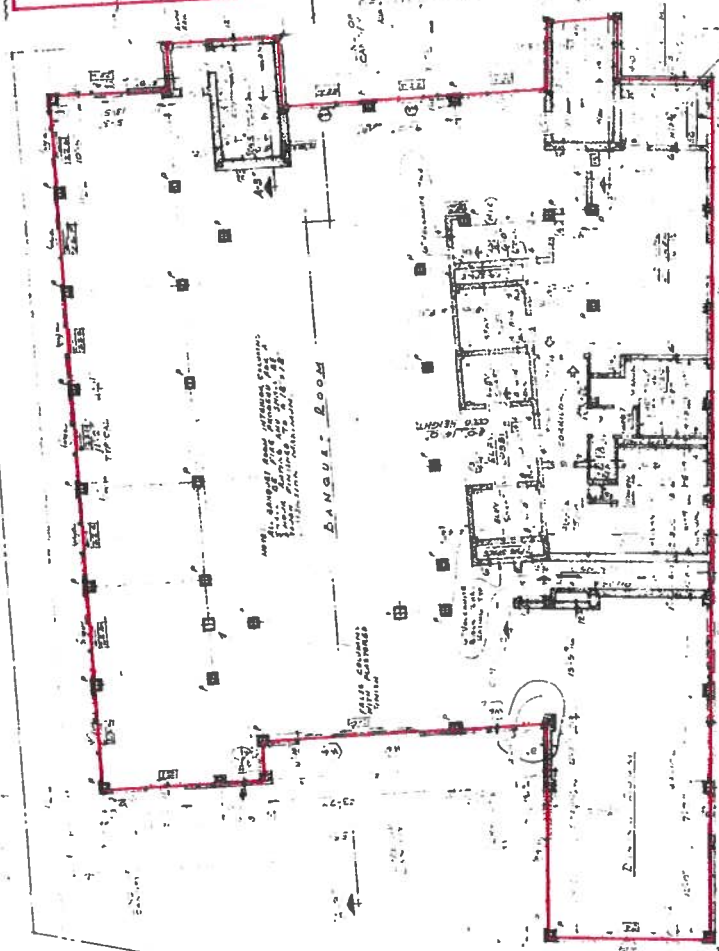
EXHIBIT B

ALTERATION AND ADDITION

NEW GROUND FLOOR

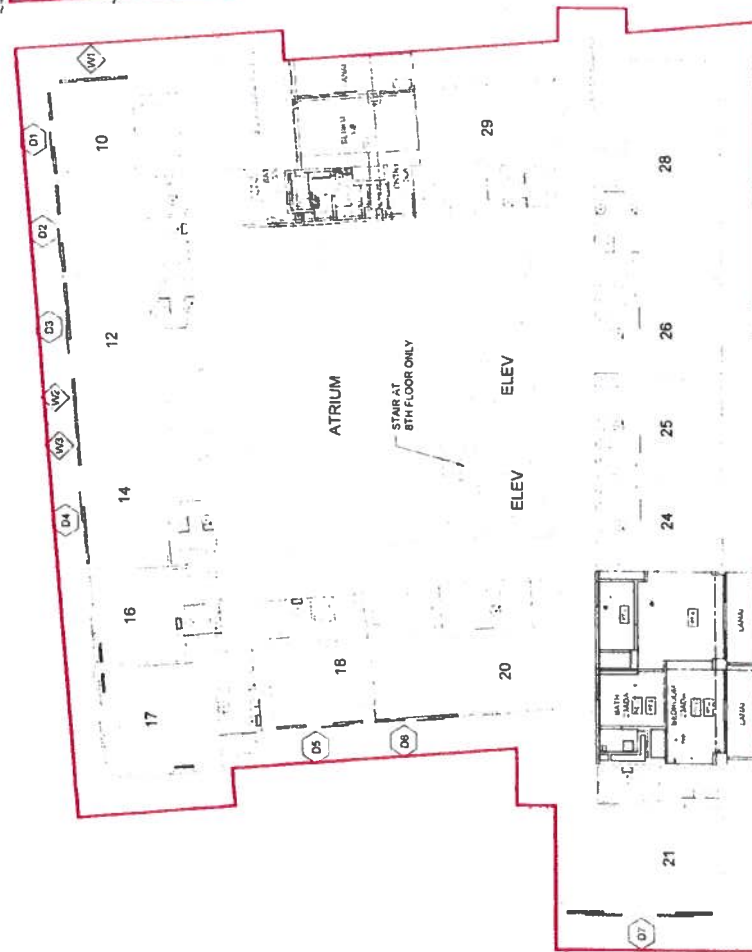
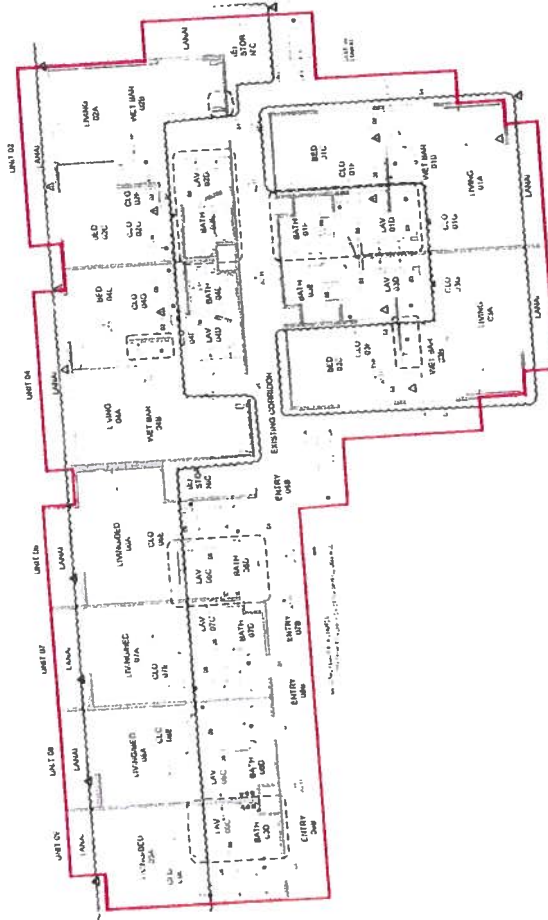
Scale: 1/16" = 1'-0"





16' 8' 0 16'
SCALE: 1/16"=1'-0"

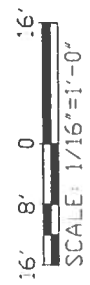
EXHIBIT B

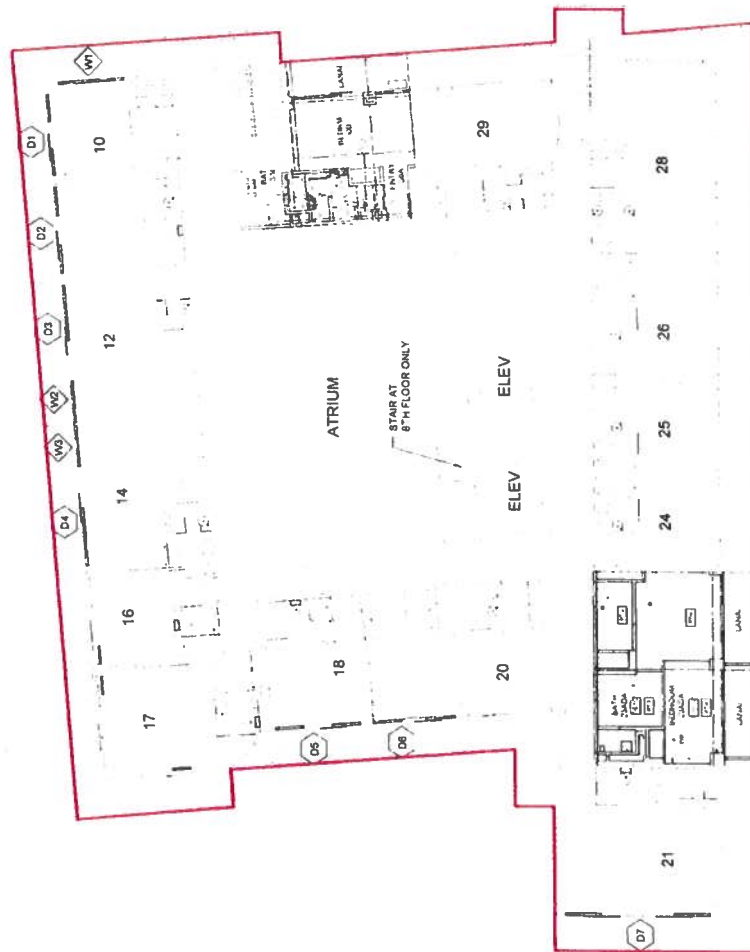


ALTERATION AND ADDITION

NEW 3RD FLOOR

Scale 1/16" = 1'-0"



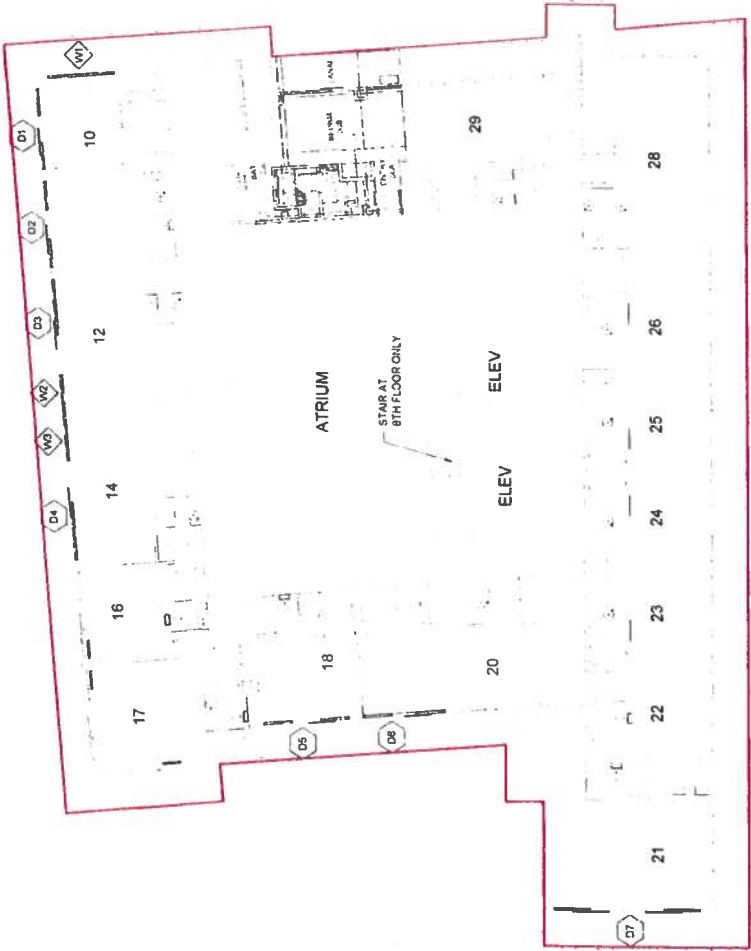


ALTERATION
NEW 4 TH TO 5 TH FLOOR

Scale 1/16" = 1'-0"



EXHIBIT B

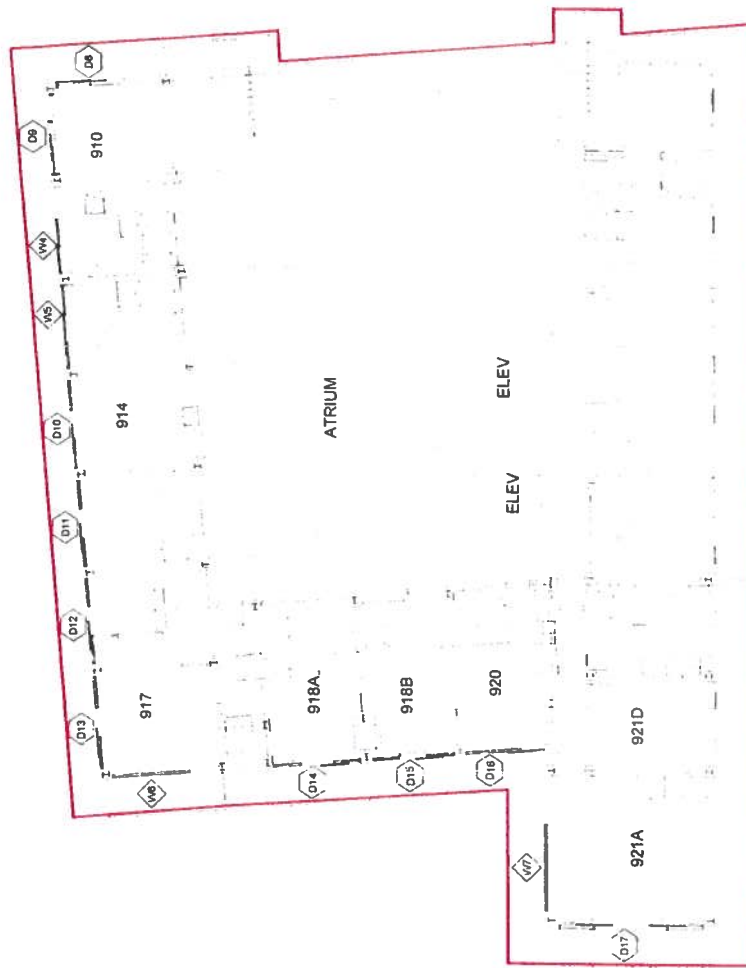


ALTERATION
NEW 6 TH TO 8 TH FLOOR

Scale: 1/16" = 1'-0"

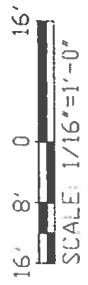


EXHIBIT B



ALTERATION
NEW PENTHOUSE

Scale 1/16" = 1'-0"



22-23481

Teruya, Kelly

From: Thefour 4 <thefour4bar@gmail.com>
Sent: Tuesday, July 6, 2021 4:08 AM
To: Liquor Licensing
Cc: LCIS
Subject: request for late license renewal

RECEIVED
LIQUOR COMMISSION
C&C OF HONOLULU

2021 JUL -6 A 8:45

CAUTION: Email received from an EXTERNAL sender. Please confirm the content is safe prior to opening attachments or links.

Hello. Hope all is well. I own the Four 4 bar and grill liquor license number R1232, I would like to request to renew my liquor license late. We were waiting on our tax clearance and I did not realize I could complete all the other necessary paperwork before receiving the tax clearance. I would appreciate it if someone could contact me right away as we are eager to renew and reopen. Thank you for your time.

Please place on
Agenda 7/15/21 ah

Teruya, Kelly

App# 22-23483

From: jowen@intcoinvestments.com
Sent: Tuesday, July 6, 2021 10:20 AM
To: HLC
Subject: KOLL, LLC - request to renew liquor license

RECEIVED
LIQUOR COMMISSION
C&C OF HONOLULU
2021 JUL -6 A 10:38

Importance: High

CAUTION: Email received from an EXTERNAL sender. Please confirm the content is safe prior to opening attachments or links.

Aloha,

This email is being sent to request renewing our liquor license which expired on 6/30/2021. Please let me know what steps I need to take in order to expedite this process.

Licensee – KOLL, LLC.
License # - L0038

Please place on
Agenda 7/15/21 ah

Thank you very much and I look forward to hearing back from you.

Thank you.

Jowen Perius
INTCO INVESTMENTS
555 South Street, Ste. 110
Honolulu, HI 96813
(808)777-5522

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22-23490

Teruya, Kelly

From: mahmoud nezamloo <mnezamloo@yahoo.com>
Sent: Tuesday, July 6, 2021 4:05 PM
To: HLC
Subject: Bar Koko: request for renewing license

RECEIVED
LIQUOR COMMISSION
C&C OF HONOLULU

2021 JUL -6 P 4: 41

CAUTION: Email received from an EXTERNAL sender. Please confirm the content is safe prior to opening attachments or links.

My name is Mahmoud Nezamloo owner of Bar Koko 1102 Piikoi Street Honolulu HI 96814.

Requesting for renewing my license after June 30th 2021.

Thank you for your considerations.

Mahmoud Nezamloo

808-840-7523

1421 Alencastre Street Honolulu HI 96816

Please place on
Agenda 7/15/21 ah



22-23493
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LIQUOR COMMISSION
C&C OF HONOLULU

2021 JUL -7 A 9:06

July 7, 2021

Liquor Commission
City and County of Honolulu
711 Kapiolani Boulevard, Suite 600
Honolulu, Hawaii 96813

Please place on
Agenda 7/15/21 ah

Re: MARRIOTT HOTEL SERVICES, INC.
dba Waikiki Beach Marriott Resort
2552 Kalakaua Avenue, Honolulu, Hawaii 96815
Hotel General Liquor License No. L00018
Request No. 20-21565 (Permanent Alterations)
Request for Extension of Time to December 31, 2021
for Final Inspection for Permanent Alterations

Liquor Commission:

I am the attorney and Authorized Agent for MARRIOTT HOTEL SERVICES, INC. dba Waikiki Beach Marriott Resort for Hotel General Liquor License No. L00018 for the premises located at 2552 Kalakaua Avenue, Honolulu, Hawaii 96815.

On behalf of MARRIOTT HOTEL SERVICES, INC. dba Waikiki Beach Marriott Resort, we respectfully request for an Extension of Time for the Final Inspection for the Permanent Alterations at the Waikiki Beach Marriott Resort from July 22, 2021 to December 31, 2021.

As background, the Liquor Commission approved the construction alterations to the Third Floor Pool Deck at the Waikiki Beach Marriott Resort including (1) Pool Bar, (2) Kitchen, (3) Adult Pool, (4) Outdoor Dining Area, (5) Showers, (6) Restrooms, (7) Spa, (8) Fire Pit and (9) Removal of large non-structural pillars.

Enclosed is the Approval Letter dated January 28, 2021 regarding the approval of the Permanent Alterations to the Licensed Premises which states that the Final Inspection must be scheduled by July 22, 2021.

Please note that good cause exists for this Request for Extension of Time due to construction delays relating to the COVID-19 pandemic and other circumstances which require the extension of time for the Final Inspection until December 31, 2021.

CORPORATE LAW | ADMINISTRATIVE LAW

T: (808) 537-3500 | F: (808) 537-3511 | E: robert@bishopstreetlaw.com | bishopstreetlaw.com
1000 Bishop Street, Suite 503, Honolulu, Hawaii 96813

Liquor Commission
City and County of Honolulu
July 7, 2021
Page 2

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In the event that a Liquor Commission Hearing is required for this Request for Extension of Time, we respectfully request for the Hearing to be scheduled as soon as possible and by July 22, 2021 as applicable.

Your kind assistance with this matter is appreciated and if you should have any questions or concerns, or need any additional information or materials for this Request for Extension of Time for the Final Inspection, please do not hesitate contact me at by telephone at (808) 384-6373 or (808) 537-3500 (office), by email at robert@bishopstreetlaw.com or by facsimile at (808) 537-3511.

Very truly yours,



ROBERT A. UEOKA

Enclosure

**LIQUOR COMMISSION
CITY AND COUNTY OF HONOLULU**

711 KAPIOLANI BOULEVARD, SUITE 600, HONOLULU, HAWAII 96813-5249
PHONE (808) 768-7300 • FAX (808) 768-7311
INTERNET ADDRESS: www.honolulu.gov/liq • E-MAIL: liqur@honolulu.gov

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2021 JUL -7 A 9:06

RICK BLANGIARDI
MAYOR



January 28, 2021

NARSI A. GANABAN
CO-VICE CHAIR

MALAMA MINN
CO-VICE CHAIR

DARREN Y.T. LEE
COMMISSIONER

DUANE R. MIYASHIRO
COMMISSIONER

FRANKLIN DON PACARRO, JR.
ADMINISTRATOR

ANNA C. HIRAI
ASSISTANT ADMINISTRATOR

US Mail and Email (robert@bishopstreetlaw.com)

Robert A. Ueoka, Esq.
BISHOP STREET LAW GROUP
1000 Bishop Street, Suite 503
Honolulu, Hawaii 96813

Dear Mr. Ueoka:

Re: Request No. 20-21565 – Permanent Alterations to Licensed Premises –
Approved
MARRIOTT HOTEL SERVICES, INC.
dba WAIKIKI BEACH MARRIOTT RESORT
2552 Kalakaua Avenue, Honolulu, Hawaii 96815
Hotel General License No. L0018

On January 22, 2021, the Liquor Commission approved your request, received March 12, 2020 and by email dated December 28, 2020, submitted on behalf of the abovementioned licensee to permanently alter your licensed premises.

You are authorized to make the changes as stated on form LIQ-LIC-148, *Request for Internal Renovations* and by email correspondence, along with the floor plans submitted with your request.

You must notify Licensing Investigator Thanh Phung by Thursday, July 22, 2021, as to the status of the authorized changes and to schedule a final inspection of the premises. The approval for the changes will lapse after Thursday, July 22, 2021, unless you schedule a final inspection with Investigator Phung, or contact the Liquor Commission for an extension of the July deadline.

If you have any questions relating to this matter, please contact Licensing Investigator Thanh Phung at 768-7329.

Sincerely,

Annathai
for FRANKLIN DON PACARRO, JR.
Administrator

FDP:cm

22-23507

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2021 JUL -8 P 1:18



Pacific Business Advocates LLC
P.O. Box 11351
Honolulu, HI 96828
Info@Pacifcadvocates.com

Authorized Representatives on behalf of
TBB Holdings, Inc. dba Teddy's Bigger Burgers

July 8, 2021
Commission Administration
Honolulu Liquor Commission
711 Kapiolani Blvd # 600,
Honolulu, HI 96813

Please place on
Agenda 7/15/21 ah

Re: Requesting approval to file a Liquor License Renewal Application for fiscal year 2021-2022 after the June 30, 2021 deadline, pursuant to Rule 3-82-31.4(b).

This letter serves to request approval for licensee R1441 TBB Holdings, Inc. dba Teddy's Bigger Burgers at 66-111 Kamehameha Hwy, Haleiwa, HI 96712 to file its Liquor License Renewal Application for fiscal year 2021-2022 after the June 30, 2021 deadline, pursuant to Rule 3-82-31.4(b).

TBB Holdings, Inc. staff have represented to me that the renewal error was due to unfamiliarity with the on-line payment system.

If you have any questions, please contact me at your convenience. Mahalo for your time and consideration.

Respectfully,

Emmanuel Zibakalam
Principal, Pacific Business Advocates LLC
(808) 741-8390

#22-23480

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Pacific Business Advocates LLC
P.O. Box 11351
Honolulu, HI 96828
Info@Pacificadvocates.com

2021 JUL -6 A 8:11

Authorized Representatives on behalf of
Celebrahteas LLC

July 6, 2020
City & County of Honolulu, Liquor Commission
711 Kapiolani Blvd #600
Honolulu, HI 96813

Please place on
Agenda 7/15/21 ah

Re: Request for Waiver of Rule §3-82-32.1(a)

This letter serves to request that the City & County of Honolulu Liquor Commission (Commission) waive Rule §3-82-32.1 (a), specifically "The license application must be filed within five (5) working days of the surrender of the previous license or the closing of the business.", to allow Celebrahteas LLC to apply for a temporary & stand-alone transfer license at 98 Kuahao Pl, Pearl City, HI 96782.

We ask that the Commission consider the unique economic hardships that the Covid-19 pandemic has caused to our restaurant industry while reviewing this request. An approval will help provide the necessary revenue to ensure the operation of said restaurant through the current pandemic and into the future.

Additionally, we would like to request this item be added onto the July 8, 2021 agenda so that we may apply for the temporary license and start service as soon as possible.

If you have any questions, please contact me at your convenience. Mahalo for your time and consideration.

Respectfully,

Emmanuel Zibakalam

Authorized Agent, TBB Holdings, Inc.
Principal, Pacific Business Advocates LLC
(808) 741-8390

#22-23491

July 2, 2021

Honolulu Liquor Commission
Pacific Park Plaza
711 Kapiolani Blvd Ste 600
Honolulu, HI 96813

Please place on
Agenda 7/15/21 ah

RE: Request for Temporary License
Applicant: Hwangjae Corporation
Property: Mas Liquor & Tobacco
1726 Kapiolani Blvd Ste 103
Honolulu, HI 96814

To Whom It May Concern:

Hwangjae Corporation, requests to apply for a Stand Alone Temporary Liquor License at the above listed property after the license has expired for 5 days. This license expired on June 30, 2021.

We understand that we will need to be placed on a hearing agenda for approval of this request.

Sincerely,

Hwangjae Lee
Signature/Hwangjae Corporation

Hwangjae Lee
Print Name